"First. The depressed condition of trade, industry, and agriculture calls for relief now through the savings which will be available from transportation on improved waterways.

"Second. Economy in Government financing. The present piecemeal method of prosecuting the work on these projects under the handicap of uncertain annual appropriations will require 20 years for their completion. Conservative calculations disclose that piecemeal methods of the past increase the cost at least 40 per cent over original estimates and authorizations—witness the Ohio River, which was estimated to cost $63,000,000, and actually cost, after 20 years of piecemeal work, in excess of $100,000,000. A 5-year program on already authorized river and harbor projects would, therefore, save in first cost approximately $330,000,000.

"Third. Savings in interest on capital unproductive during the average period of construction of some 20 years under present piecemeal methods will amount to $162,500,000.

"Fourth. The relief of unemployment. Directly or indirectly, 500,000 men will be given employment during the next five years.

"Fifth. Industry would, if a definite short term of years was officially established for the completion of our inland waterways, anticipate their completion, as it did on the Ohio, and construct plants and facilities now, thus employing added labor and capital."

In conclusion I want to emphasize the need for action now. When the human body is sick or stricken we do not hesitate to spend money to heal the wounds to speed recovery, even to the extent of borrowing money for that purpose. Then, when the body is virile and strong again, its earning power soon returns and obligations are soon repaid. So it is with the body politic. When the Nation is sick we must spend to make it well, especially when we know what should be done. To save, to economize now may be fatal. When the Nation's economic wounds are healed, when it is again virile and strong, its former earning power will soon return. And with renewed earning power will come the purchasing power necessary to restore national prosperity. Therefore, I say to you that a definite, a courageous, a businesslike financial program for the completion of our waterways, which is embodied in the Shipstead-Mansfield bill, will greatly aid in healing our wounds by employing now idle labor, idle capital, and idle industry.

A determined leadership on the part of the National Government and a spirit of patriotic cooperation now will carry this plan through to successful completion and thus aid in speedily restoring the Nation to normal health and prosperity.

It is the opportunity of the National Rivers and Harbors Congress to show the way.

RETIREMENT OF PUBLIC DEBT

Mr. BLACK. I send to the desk and ask to have read a short editorial from the Gadsden Times of Tuesday, December 9, entitled "Gross Indifference to Human Welfare."

The VICE PRESIDENT. Is there objection? The Chair hears none, and the editorial will be read.

The Chief Clerk read as follows:

GROSS INDIFFERENCE TO HUMAN WELFARE

Never in the history of this Nation has it been governed by an administration so indifferent to the condition of the great mass of citizens.

From top to bottom the Government is moved by the spirit of the very rich and seems utterly incapable of real consideration for the multitudes.

The spirit of Andrew Mellon has become the spirit of the administration. Vast wealth looks down upon vast need and is unmoved.

When the tragic consequences of unprecedented drought conditions has been summarized and the magnitude of the needs ascertained, it was recommended that $60,000,000 be provided to meet this great emergency. The administration blandly concludes that $25,000,000 should be sufficient and attempts to proceed accordingly, thus providing additional proof of the Dives spirit by which it is actuated.

And at the very time when this heartless course is being advocated the Treasury Department, backed by the executive department, insists upon the restoration of the income tax to the former figure, indifferent to the fact that conditions now are much worse than when the temporary reduction was made.

Not only is it planned to increase taxes in this wise, but broad hints are thrown out that other increases may be in the offing. The excuse is that the Government owes money.

The war debts of the United States have been liquidated at the amazing rate of a billion dollars a year, and it is proposed to continue this large-scale reduction regardless of the condition of the country or the ability of the people to pay. Mellon, rolling in hundreds of millions, has no mercy upon those not so happily situated, and Mellon bends Hoover to his wishes.

Were this Government to reduce its war-debt payments by half for a year or two and give the public the benefit of the temporarily reduced payments—which would mean the use of a half billion dollars—it would have a tremendous effect in lifting burdens and enabling the country to move forward with quickened pace, but, as with all other practical means of relief, it is scorned "To —— with the people; let 'em pay!" is the attitude.

The same attitude is displayed when it is suggested that the severe money shortage be relieved of an increase in circulation through the Federal Reserve banks. Not one constructive step is taken while every constructive suggestion is rejected.

There are those who suspect that Mellon, whose vast wealth has been practically doubled in purchasing power as a result of the great decline in commodity prices, is deliberately seeking permanently to reduce the standard of living in this country; is shrewdly planning to make the very rich permanently richer and the poor permanently poorer, and developments in Washington tend to confirm this idea.

It is high time for Congress to take a more vigorous hand in these matters; to see that the people are given a fair deal and that any plot to establish a lower standard of living in this Nation is defeated.

The spirit of Shylock must be routed from the National Capital.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 5659. An act to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders;

H. R. 8649. An act to authorize the Postmaster General to collect an increased charge for return receipts for domestic registered and insured mail when such receipts are requested after the mailing of the articles, and for other purposes; and

H. R. 10676. An act to provide for the special delivery and the special handling of mail matter.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Friday, December 12, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 11, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, it is Thy rod and Thy staff on which we would lean. If sorrow or disappointment cloud the day, Thou art our song and gladness. Here in this Chamber do Thou dignify and bless our fellowship one with another. Thou alone knowest what is best; do Thou help us and guide us, not according to our judgment but according to Thy infinite wisdom and goodness. Remember those who belong to us and are not with us. As the wind bloweth where it listeth and we know not whence it cometh or whither it goeth, so we know not how; but Thy Holy Spirit can make every home a sanctuary and every human heart an altar. Father of mercies, be pleased to do this. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the RECORD a letter to the Secretary of the Treasury proposing the payment of 25 per cent of the adjusted-service certificates.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New York if he has introduced a bill touching that subject. I made inquiry at the document room this morning and was informed that no such bill was pending.

Mr. FISH. That was the purpose of the letter—to get some help from the Secretary of the Treasury in framing this bill. I stated that in the letter.

Mr. BANKHEAD. The gentleman has not as yet formulated any bill on the subject?

Mr. FISH. I am formulating such a bill, and I hope to get some views from the Secretary on the subject.

Mr. HOWARD. Mr. Speaker, until the gentleman shall have introduced his bill, I shall have to object.

ORDER OF BUSINESS

Mr. GARNER. Mr. Speaker, may I have the attention of the gentleman from Connecticut [Mr. TILSON]? A number of gentlemen on this side of the Chamber have asked what the program is going to be for the balance of the week. Would the gentleman mind outlining at this time what is to be the program?

Mr. TILSON. The pending appropriation bill will probably take to-day and to-morrow, and that will leave Saturday open. Whether the next appropriation bill will be ready at that time or whether we would wish to take up a controversial matter on Saturday is a question. It is possible that we may ask the House to adjourn over Saturday.

Mr. GARNER. Let me suggest to the gentleman that when he brings in this farm relief bill, or whatever title you want to give that bill, do not come in and say, "Now, we do not want much debate on this matter, we want to hasten it through the House." As I understand, this matter has been ready to report this entire week, and the gentleman agreed the other day that with the exception of the appropriation bills these emergency measures should come up.

Mr. TILSON. That is correct.

Mr. GARNER. I want to suggest again to the gentleman that he ought not to try to cut off debate on a very important measure on the ground of wanting to hasten it through, when he has had the entire week to bring up such legislation.

Mr. TILSON. I do not know how much of this week will remain at the conclusion of the consideration of the pending bill, and Saturday may be necessary to conclude consideration of this bill. I do not know whether the Committee on Agriculture has its bill ready or not. We might have general debate on Saturday if the House wishes it.

Mr. GARNER. Is that bill ready now?

Mr. TILSON. I do not think so.

Mr. GARNER. Can not the gentleman find out?

Mr. TILSON. The gentleman understands what has taken place in connection with this bill. The House Committee on Agriculture reported out one bill and the Senate passed another bill. The Committee on Agriculture had reported out the House bill before the Senate bill arrived and was referred to that committee. So there is a House bill now on the calendar and there is a Senate bill referred to and pending before the House committee. That is the situation at the present moment.

Mr. JONES of Texas. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. JONES of Texas. I called up the chairman of the committee to-day and he said that that bill had not yet been referred to the committee.

Mr. TILSON. It came over from the Senate yesterday, and I assumed had been referred to the committee.

Mr. JONES of Texas. I communicated with the chairman yesterday morning and he told me we would probably have a hearing of the committee or a meeting of the committee this morning to pass on that matter. I called up this morning to know why the committee was not meeting, and the chairman informed me that the bill had not yet been referred to the committee.

Mr. TILSON. I am informed by the parliamentarian that the bill was referred to the committee on yesterday afternoon.

Mr. GARNER. Mr. Speaker, may I ask the gentleman this question in order to get the matter straight? The gentleman, I know, does not want to do anything out of the way. Next Monday is suspension day, and I do not assume the gentleman would ask the Speaker to take up an important piece of legislation like that and suspend the rules and pass it.

Mr. TILSON. I am not on the Committee on Agriculture, and I shall not personally make a request of that kind. The Committee on Agriculture is now considering one of the bills and has already acted upon the other.

Mr. GARNER. Has there been any discussion with the Committee on Agriculture or with the steering committee, or anyone else, with respect to any such procedure?

Mr. TILSON. The steering committee has not considered any such matter.

Mr. GARNER. Let me say for the RECORD that I trust the Speaker will not suspend the rules on an important piece of legislation like that.

Mr. JONES of Texas. Will the gentleman yield further?

Mr. TILSON. Yes.

Mr. JONES of Texas. If the Committee on Agriculture should take action in the morning, is there any reason why this bill should not be taken up to-morrow and disposed of?

Mr. TILSON. It would have to be done by unanimous consent, because otherwise it would not be in order; or it would require a rule, and that would have to lie over one day.

Mr. JONES of Texas. I do not think there would be any objection to taking it up unless the gentleman through his organization should object.

Mr. ASWELL. Will the gentleman yield further?

Mr. TILSON. Yes.

Mr. ASWELL. The gentleman ruled me out yesterday because the chairman had not come over and was not present; but if our chairman should submit a unanimous-consent request to take up the Senate bill, would the gentleman support that request now?

Mr. TILSON. I should make no objection to any request that the gentleman from Iowa [Mr. HAUGEN] might make.

Mr. ASWELL. The chairman of the Committee on Agriculture is standing there now; what is the chairman going to do?

Mr. TILSON. The gentleman's committee has not yet acted, as I understand it, upon the Senate bill.

Mr. ASWELL. Why has it not acted? He has not called a meeting of the committee.

Mr. HAUGEN. I will answer the gentleman's question.

Mr. JONES of Texas. I wish the gentleman would answer that question.

Mr. HAUGEN. The chairman of the committee proposes to proceed in the regular and orderly way.

Mr. JONES of Texas. Does the chairman intend to have a meeting in the morning to take action on this measure?

Mr. HAUGEN. It was my intention to call a meeting to-day, but the bill was not referred to the committee until this morning. I shall now confer with the members of the committee and determine what the action shall be.

Mr. ASWELL. We are members of the committee; will the gentleman confer with us?

Mr. JONES of Texas. Will the gentleman confer with all of us?

Mr. ASWELL. Will the gentleman call a meeting of the committee to-morrow?

Mr. HAUGEN. If it is necessary to call a meeting.

Mr. CLARKE of New York. Regular order, Mr. Speaker.

THE WHEAT SURPLUS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent for leave to extend my remarks in the RECORD by inserting a brief article, not to exceed a dozen lines, on the proper disposition to be made by the Farm Board of the great volume of wheat that has been accumulated.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. ASWELL. Reserving the right to object, who is the author of the statement?

Mr. CHIPERFIELD. It is an editorial from the Daily Register Mail, of Galesburg, Ill., based on the President's remarks that no person should go hungry. Furthermore, it has been suggested that the wheat should be fed to the hogs and cattle. The editor suggests that it should be fed to human beings in the United States.

Mr. ASWELL. With that statement the gentleman does not need leave to extend.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following

brief article from the Daily Register Mail, of Galesburg, Ill., on the proper disposition to be made by the Farm Board of the great volume of wheat that has been accumulated:

WHY NOT USE IT?

The United States Farm Relief Board has accumulated some 90,000,000 bushels of wheat through purchase by Government funds. The outlook is that the Government will stand a heavy loss on it anyway. Why not then have it converted into flour and distributed as necessity compels among the unemployed? The President has said that no one in this country should be allowed to go hungry. It would appear incongruous for one to starve in a country whose Government has 90,000,000 bushels of wheat on hand. With this surplus out of the way there would be some chance for next year's crop. The board has advised that the wheat be fed to hogs and cattle, and we are simply suggesting that it be fed to human beings.

THE PASSAGE OF THE FIRST BONUS BILL

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an article that was printed in the Stars and Stripes in 1920, giving an account of the passage of the first bonus bill. Gentlemen will recollect that there were 65 bills in the Sixty-sixth Congress to pay a bonus of some kind to the World War veterans. The bills were scattered through the House to various committees. All were assembled finally by the steering committee and placed in the hands of the Ways and Means Committee with instruction to report one bill out that everyone could support. In the estimation of those who had charge of the legislation they said they would not report that bill out, and a group of Members of the House on both sides of the aisle decided that the time had come when something should be done. Finally, through a filibuster, in which I took part, and the gentleman from Michigan [Mr. CRAMTON] and a number of others took part, the bill did finally reach the floor of the House and passed by the votes of both Democrats and Republicans. An account of the passage of that bill was published in the Stars and Stripes on the 5th of June, 1920.

Mr. BANKHEAD. Reserving the right to object, does the article give an account of any unusual participation by the gentleman from Ohio?

Mr. MURPHY. Yes; it gives me some credit.

Mr. RANKIN. Reserving the right to object, does the article have any reference to what is known as the adjusted compensation?

Mr. MURPHY. It deals entirely with the passage of the first bonus bill that ever came before the House.

Mr. RANKIN. That was the bonus of $60 and has nothing to do with what is known as the adjusted compensation?

Mr. MURPHY. It was the very beginning of the legislation in the interest of the soldiers of the World War.

Mr. RANKIN. I understand; but the gentleman knows that what is known as the adjusted compensation bill, or bonus bill, was not passed for several years after this article was published.

Mr. MURPHY. This gives an account of Members of Congress at that time in an effort to do something for the soldiers of the World War.

Mr. RANKIN. As a matter of fact, the article can have no bearing on the ultimate passage of what is commonly known as the bonus bill, or the adjusted compensation bill.

Mr. MURPHY. I would not go that far, for I think the gentleman is in error about that. Everything has to have a beginning, and the gentleman knows there is an effort, for instance, in the House to take care of Muscle Shoals——

Mr. CRAMTON. Mr. Speaker, I shall have to ask for the regular order. I am anxious to get into committee on the appropriation bill.

Mr. RANKIN. And I am anxious to get the adjusted-compensation certificates paid off.

Mr. CRAMTON. But the gentleman can not do it by delaying the appropriation bill.

Mr. BYRNS. Mr. Speaker, reserving the right to object, I fail to see the pertinency of this. It does not refer to any legislation before the House. Does this account, to which the gentleman refers, contain any statement relative to the effort made by Members of the House, including myself, to have that bonus paid in cash rather than by these certificates?

Mr. MURPHY. I will say that if the gentleman will permit my remarks to go into the RECORD in the way I have sought, he will be perfectly satisfied with the statements I make.

Mr. RANKIN. Mr. Speaker, for the time being I will object, in order to expedite the business before the House.

ADVERTISING PRACTICES OF THE AMERICAN TOBACCO CO.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to the Cremo cigar spit tobacco advertising campaign of the American Tobacco Co.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his own remarks in the manner indicated. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, as I understand it, this request has something to do with an advertising campaign. If a Member on this side of the House who seeks permission to extend a brief article with reference to his own work is denied that permission on the other side, as was the gentleman from Ohio [Mr. MURPHY], it seems to me that we are going pretty far for gentlemen on that side to ask to put in some story about advertising.

Mr. CELLER. These are my own remarks.

Mr. CRAMTON. That increases their importance.

Mr. CELLER. I thank the gentleman.

The SPEAKER. Is there objection?

Mr. MENGES. Mr. Speaker, reserving the right to object, this matter pertains very largely to my district. These cigars are manufactured very largely in the district which I have the honor to represent. Mr. Speaker, let me ask the gentleman a question. Is this advertising done by the people who have been trying to damage the hand-made 5-cent cigar industry which I have the honor to represent?

Mr. CELLER. This advertising is by a large monopoly which is trying to drive out independents from the cigar-manufacturing business.

Mr. MENGES. And introduce machine-manufactured cigars?

Mr. CELLER. Partly so; yes. This is a campaign which is now being examined by the Federal Trade Commission to determine whether or not the American Tobacco Co. is justified in using this type of advertising in fostering its own Cremo machine-made cigars, and thereby by its insidious advertising seek to destroy the small manufacturers of cigars who make them not by machine but by hand.

Mr. MENGES. I shall not object.

The SPEAKER. Is there objection?

Mr. CLARKE of New York. I would like to ask the gentleman a question.

The SPEAKER. The Chair desires to know whether there is objection to the request?

Mr. CLARKE of New York. In the Christmas spirit I shall not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I submit the following with reference to the Cremo cigar spit tobacco advertising campaign of the American Tobacco Co.

Under date of November 7, 1930, I addressed the following communication to the chairman of the Federal Trade Commission:

Hon. EDGAR A. MCCULLOCH,
Chairman Federal Trade Commission,
Washington, D. C.

MY DEAR MR. CHAIRMAN: I invite your attention and that of your colleagues on the Federal Trade Commission to certain unfair practices on the part of the American Cigar Co. in the advertising and sale of its "Cremo" brand of cigars.

In this company's advertising of "Cremo," they employ such phrases as "Spit is a horrid word," "Avoid spit-tipped cigars," and other phrases which by fair implication make the public believe that all handmade cigars are spit-tipped and therefore unsanitary and dangerous to health.

Not only is advertising of this character unfair, as being contrary to the provisions of the Federal Trade Commission act and other similar statutes, but such advertising contains a strong element of untruth. Prior to the introduction of machinery, I am informed that all cigars were made by human hands. Never before has it been said, directly or indirectly, or by inference, that handmade cigars were a menace to health. Even to-day the better brands of cigars are all made by hand. Machinery has not yet been devised to make a cigar that will satisfy fastidious smokers.

This advertising is eminently unfair, because a stigma or bar sinister is placed upon manufacturers of handmade cigars. They constitute a very substantial industry, involving many employees, with considerable capital investment.

I am informed by the National Cigar Leaf Tobacco Association and from other reputable sources that it is not true that every cigar made by hand is spit upon in the forming of the head. I, from personal knowledge, can testify to conditions in various cigar manufactories where cigars are made by machine and by hand, and I have never yet seen in modern up-to-date factories the use of spit in the forming of the tip of the cigar or any other unsanitary practice in connection therewith.

With justification and with righteous indignation, resolutions of the Leaf Tobacco Board of Trade of the city of New York, the National Cigar Leaf Tobacco Association, the Associated Cigar Manufacturers and Leaf Tobacco Dealers, and other associations, have been passed condemning this unfair advertising of the American Cigar Co.

The American Cigar Co. is a subsidiary of the American Tobacco Co., and the latter offended once before with reference to unfair advertising in their presentation of Lucky Strike cigarettes. Then, as now, they attempted greater sales of their products by harming competitors. The American Tobacco Co., by this deplorable method, loses much morally, and their financial gain, if any, is but temporary. Such despicable operations will not pay in the end. One only hurts one's self by thus sowing ill will and hatred. I might say that anyone who spits in the wind spits upon himself. The American Tobacco Co. is spitting in the wind.

As soon as Congress convenes in December, I shall make an issue of this unfair-advertising practice and vigorously protest it on the floor of the House. In the meantime, your kindly consideration of this matter is requested.

Yours very truly,

EMANUEL CELLER,
Representative Tenth New York Congressional District.

As a result of my complaint and the complaint of the National Better Business Bureau (Inc.), as well as other interested organizations of tobacco dealers, manufacturers, and so forth, the Federal Trade Commission inaugurated an investigation and hearings are being held before the board of review of the commission to give the representatives of the American Cigar Co., subsidiary of the American Tobacco Co., an opportunity to exculpate themselves from the charge of unfair trade practices in connection with the "Cremo" spit-tipped cigar advertising.

This company is an old offender on the question of contemptible and mean advertising practice. In January, 1930, the Federal Trade Commission published a statement to the effect that the American Tobacco Co. in its use of the advertising claims that appeared in the "Lucky Strike" advertising was acting contrary to fair dealing. After much controversy the company stipulated to modify the words "reach for a Lucky instead of a sweet." But subsequently it came forward with another advertisement equally obnoxious, which conveyed the same idea. Such advertising was and still is destructive of legitimate industries, the candy and cigar industries, the inference being that if you avoid sweets, you escape obesity, and that the more cigarettes you smoke the thinner you will become. Apparently this company is as slippery as an eel. The Federal Trade Commission attempts to hold it down in one way, but it slips out of its grasp.

They very likely will pursue the same tactics with reference to the "Cremo" spit-tip campaign. They probably will agree to stop the use of the word "spit" but will then invent some phrase equally unfair, equally shocking.

The American Medical Association is on record as opposing the dragging of the health element into advertising and is particularly opposed to the obnoxious use of the word "spit" in this new campaign of the American Tobacco Co. But this company disregards the protests of the Medical Association as it will continue to disregard all moral suasion. Only the strong arm of the law will cower it.

I am reliably informed that the American Tobacco Co. will agree to some sort of stipulation with the Federal Trade Commission and stop the use of the word "spit" in the Cremo advertising, and I am also reliably informed that it is prepared to use something more detrimental and that it will amend its advertising of Cremo by advertising the fact that machinemade cigars like Cremo can not be contaminated with floor sweepings, dirt, or dust, with the implication that handmade cigars in the small factories contain floor sweepings, dust, and dirt. In other words, this company will simply change the "disgust feature" of their advertising. That the Cremo advertising is unfair to industry is beyond question. It undoubtedly has a tendency to induce readers to believe that spit-tipping and unsanitary conditions are prevalent in most factories and that the country is threatened with a menace which can only be avoided by smoking Cremos.

This matter was thoroughly investigated by the National Better Business Bureau (Inc.), and reports from State and city authorities through a nation-wide survey conducted by the bureau did not support these claims. Therefore the Cremo advertising is a libel upon a lawful and growing industry.

At the beginning of the campaign the National Better Business Bureau (Inc.) communicated with Lord & Thomas & Logan, the advertising agency handling the account of the American Tobacco Co., and pointed out that this type of advertising disparaged other cigars and that the advertising, by fair intendment, led the public to believe that cigar smokers would be safe from danger only if they smoked Cremo. Mr. L. Ames Brown, president of Lord & Thomas & Logan, said that a great many cigars are manufactured under unsanitary conditions and that this contention could be verified by a brief walk about New York City, but he did not and would not refer to any specific manufactory. The National Better Business Bureau advised Mr. Brown that in view of his assertion it would request the New York City Health Department to conduct an investigation into the alleged unsanitary conditions obtaining in cigar manufactories in New York City.

The New York health authorities made an investigation, and its findings are conclusively to the effect that handmade cigar factories in New York are conducted under the most sanitary conditions. The department of health reported that a survey representing a group of 53 cigar factories in boroughs of Manhattan and the Bronx had shown good sanitary working conditions on the whole. The department stated that the workrooms were never found to be overcrowded and that their general cleanliness was observed. It was stated that the hands of those observed were clean and free from rashes. "Spit-tipping" was stated to be a prevalent habit in some factories, although forbidden by those in charge and although entirely unnecessary. The report concluded with the statement that the facts pointed to a vast improvement in the sanitary conditions in this industry.

Preceding upon the premise that the spit-tipped cigars are dangerous germ carriers, the Cremo advertising has set forth that there is a "spit menace" in the cigar-manufacturing industry and has told the American public that millions of spit-tipped cigars were being sold daily. It has incorporated in its advertising pictures of cigarmakers in the process of "spit-tipping" cigars, and has asked readers:

How often have you been disgusted with the filthy germ-breeding places where some cigars are made—dark, stuffy factories, warm, dingy shops and windows, where cigars are rolled by careless, dirty lips and fingers and spit on the ends?

The Cremo campaign has not attacked any particular brand or brands of cigar as "spit-tipped," nor in their many advertisements has there been any indication that any brand of cigars except Cremo is made under insanitary conditions.

The advertising was not directed to smokers of 5-cent cigars only, but was apparently intended for all cigar smokers, and the conditions condemned presumably pervaded the entire industry. I quote from statements which have appeared in Cremo advertising:

The word "spit" stops you * * * and so should the danger of "spit-tipped" cigars. Beware * * * Smoke Cremo—it's certified.

For safety's sake smoke certified Cremo.

Many a "spit-tipped" cigar is dressed in a fancy band. Price alone doesn't indicate cleanliness.
* * * the war against spitting is a crusade of decency * * * join it. Smoke certified Cremo.

The National Better Business Bureau, in view of the failure of the American Tobacco Co. to supply the information to support the Cremo claims, conducted a nation-wide investigation into the cigar-manufactory situation.

The bureau directed inquiries to the departments of health of the 48 States, requesting that they advise them of the facts relative to the cigar-manufacturing industry within their jurisdiction, particularly with reference to whether cigars of the type referred to in the Cremo advertising as "spit-tipped" were manufactured, and if there was an existing "spit menace."

Twenty-nine State departments replied to this inquiry.

Four States reported that they had practically no cigar manufactories, and three others that they had no information on cigar-manufacturing conditions.

Eighteen State departments declared that their investigations had uncovered no "spit tipping" of cigars, or that they knew of none within their territory, and that sanitary conditions were generally satisfactory. These States were Alabama, Connecticut, Idaho, Indiana, Kansas, Maine, Massachusetts, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, Pennsylvania, Rhode Island, South Dakota, Virginia, Washington, and Wisconsin.

The State of Kentucky, reporting on conditions as of November, 1928, stated that "spit tipping" existed at that time. On December 18, 1929, the department of public health of the State of Tennessee reported that some "spit tipping" existed, but that the practice was unnecessary because the workers were supplied with paste.

The State of Ohio reported that following a special investigation they could say that all of the plants visited were clean, well lighted, and it was apparent that the manufacturers were making every effort to conduct their plants on as clean and sanitary a basis as was possible, and that in many factories contact with the tongue and lips had been absolutely eliminated. They stated that they had seen some instances of "spit tipping," although in every case the practice was against the rule of the factory.

The department of health of Maryland, after conducting a special investigation, reported that sanitary conditions were generally satisfactory. Sixty-four establishments were visited. In three of them some persons were observed placing cigars in their mouths in the course of manufacture. In the other factories inspected "spit tipping" was not in evidence.

A further check up was made by the National Better Business Bureau (Inc.) by directing inquiries to a number of chambers of commerce and to local better-business bureaus requesting that they get in touch with their departments of health and check up on local cigar-manufacturing conditions.

Eighty-three replies were received from chambers of commerce, 43 of them reporting that they had no cigar manufactories in their cities.

Forty chambers of commerce reported that they did have cigar manufactories, and in 38 cases either asserted definitely that they had no knowledge of "spit tipping" being employed in the factories, or made the general statement that sanitary conditions were satisfactory.

One city health official stated that all cigar manufacturers with whom he had come in contact make every effort to prevent "spit tipping" and penalize offending employees, but that he would swear that no cigar company could attain 100 per cent perfection.

Another city denied "spit tipping" in four factories, but found it in two others. A subsequent investigation by the State board of health revealed that this condition had apparently been remedied.

In addition, reports were received from 10 better-business bureaus located in cities where cigars are manufactured, and each of these reported that so far as was known cigar-manufacturing conditions were satisfactory.

The information obtained through these channels was helpful in supplementing the reports received from State departments of health and in supplying information on cigar-manufacturing conditions in those States where State officials did not reply to the National Better Business Bureau's inquiry.

No report has been obtained from the State Health Department in Florida, but information was obtained concerning cigar-manufacturing conditions in three cities of that State, all reporting that there was no knowledge of "spit tipping" in local cigar manufactories, and that sanitary conditions were excellent. Among these was the city of Tampa, which alone makes more than 10 per cent of all the cigars manufactured in the United States, two-thirds of these being machine made.

Similarly in New York State reports obtained from the cities of Rochester, Jamestown, Ithaca, and Newburgh were all to the effect that conditions in cigar manufactories were satisfactory.

A report obtained from Chicago stated that there was a reasonable compliance with the health ordinances, and three other cities in Illinois reported that there was no "spit tipping" in local cigar factories and that sanitary conditions were satisfactory.

Other cities located in Arkansas, California, Colorado, Georgia, Iowa, Michigan, Montana, Oregon, and Texas submitted favorable reports without exception. Many other cities confirmed the reports of State officials.

The American Federation of Labor declared that they had no knowledge of the conditions set forth in the Cremo advertising in union plants, the president of the Cigar Makers' International Union stating:

I repeat that, so far as our knowledge goes, the country is not threatened by any "spit-tip menace." We issue our union label to all cigar manufacturers who employ members of our organization, which label certifies to the fact that cigars bearing that label are made under sanitary conditions. If our attention were called to the fact that cigar makers were placing the cigars in their mouths we should withdraw the union label from any manufacturer who permitted such a condition to exist.

Labor officials asserted that for the first 11 months of the fiscal year ending June 30, 1929, approximately 6,000,000,000 cigars were manufactured in the United States, of which number less than 25 per cent were manufactured entirely by hand, approximately 25 per cent being manufactured in part by machine and approximately 50 per cent being manufactured entirely by machinery.

According to United States internal-revenue statistics for the year 1929, 96 per cent of all the cigars smoked throughout the country during the year were made in the United States.

The conclusions that are inescapable from the investigation made by the National Better Business Bureau (Inc.) are to the effect that the Cremo advertising is utterly unfair because of the reflection it casts upon cigars in general and handmade cigars in particular, that most cigars are now machinemade, and that handmade cigars can be produced, and are being produced, under conditions which are just as sanitary as those under which machinemade cigars are produced.

The Cremo campaign is a dangerous campaign in the sense that it gives misinformation, if not false information. The underlying theory is that cigars are dangerous germ carriers. For information on this point, the National Better Business Bureau communicated with a number of leading physicians and asked them, first, whether a cigar would have the effect of holding germs dormant and contagious, and, secondly, whether, in their opinion, in the ordinary course of time elapsing between the manufacture of a cigar and its ultimate use by the consumer, the germs applied to the cigar would survive.

Replies received were about evenly divided, half of the physicians answering both questions in the affirmative and half in the negative. In most cases, the physicians stated that they did not feel themselves competent to answer such an inquiry, because so far as they knew this point had

never been satisfactorily established. The American Medical Association pointed out an article published in the New York Medical Journal for May 11, 1918, regarding a bacteriological examination of cigars purchased from 28 different stores, indicating that the investigators had found abundant bacterial growth on the cigars, but in no case discovered virulent pathogenic or pyogenic organisms. (Pathogenic means disease causing; pyogenic means pus developing or secreting.)

Inquiries were also directed to numerous medical contacts asking whether they had ever heard of a case where an individual had contracted a disease from smoking an alleged insanitary cigar. Replies received were all in the negative. A survey conducted by the Medical Information Bureau of the New York Academy of Medicine revealed no record of an individual contracting disease from smoking a so-called insanitary cigar.

It is pertinent to insert at this point a statement of the Journal of the American Medical Association, bureau of investigation, dated March 15, 1930, entitled "Tobacco Advertising Gone Mad."

TOBACCO ADVERTISING GONE MAD—THE HEALTH ANGLE, AS EXPLOITED BY LUCKY STRIKE CIGARETTES AND CREMO CIGARS

The modern tendency for advertisers of all kinds of merchandise to drag the health angle into their advertisements is one of the most disturbing features in the modern advertising field. The medal for the most horrible example would seem to go to the American Tobacco Co. In the spring of 1927 the advertising agency for this concern circularized a large number of American physicians in the interests of Lucky Strike cigarettes. Each physician received a carton of 100 cigarettes and a questionnaire consisting of a card carrying two questions. The first of these questions read:

"1. In your judgment is the heat treatment, or toasting process, applied to tobacco previously aged and cured, likely to free the cigarette from irritation to the throat?"

Obviously, not one physician in ten thousand is or could be competent to answer this question. Yet the exploiters of Lucky Strike cigarettes have claimed that over 18,000 physicians answered that question in the affirmative. If this claim is not grossly false, it does not redound to the credit of the 18,000. But that is not all. There was then started the campaign, "Reach for a Lucky instead of a sweet," in which—either directly or by implication—young women were urged to smoke Lucky Strike cigarettes when they had a desire to eat candy or pastry. Trade protests brought a discontinuation of the "Reach for a Lucky instead of a sweet" slogan, but the present advertising practically carries with it the same suggestion. In it are shown pictures of a young girl in profile, casting a shadow in which a double chin is the main feature, and suggesting the use of a Lucky Strike as an aid to moderation in eating.

Another branch of the American Tobacco Co.'s business—the American Cigar Co.—has been carrying on an advertising campaign of its product, the Cremo cigar, in which the public is led to believe that most cigars are handmade and have their tips finished off with the saliva of the individual workman. This campaign features a testimonial from Alfred McCann, who "emphatically states" that Cremo cigars are not "spit tipped." This is the same McCann who, graduating from an advertising man to a "food expert," a few years ago was boosting the old, discredited nostrums, "Russell's Prepared Green Bone" and "Russell's Emulsion," that were for some time exploited on the basis of the so-called lime-starvation theory as the cause of tuberculosis.

There is evidence that the Cremo-cigar people are about to attempt to do to the medical profession what the Lucky Strike concern did a year or two ago. A physician receives a circular letter which details the horrific menace of the "spit-tipped" cigar. He also receives "five certified Cremo cigars."

The facts just given are of importance to the medical profession in its function as guardian of the public health. Physicians will readily admit that many young women eat more candy than is good for them, but they will certainly not agree that the substitution of cigarettes in such cases is in the interest of public health. Physicians may also admit that theoretically it is possible for disease to be transmitted by means of cigars. But when one considers the millions of cigars that are consumed annually, and that it is extremely difficult to find in medical literature any real evidence of the transmission of pathologic bacteria by means of cigars, the campaign of the Cremo concern stands condemned.

But physicians have a further interest in this problem—at least, many physicians do—not as physicians, but as men who enjoy a good cigar or cigarette. Advertising of this sort is pernicious from the social standpoint. If kept up persistently enough, it is likely to result in an attempt by the antitobacco fanatics to get on the statute books legislation prohibiting the sale and manufacture of tobacco products. The result would probably be another "holy war" that will make the scientific discussion of the tobacco problem as difficult as the scientific discussion of the alcohol problem is to-day.

THE AMERICAN TOBACCO CO. MUST PUT ITS OWN HOUSE IN ORDER

The American Tobacco Co. directs the public's attention to the danger of "spit-tipped" cigars in its advertising "crusade of decency." Despite this public admonition, the investigation of the National Better Business Bureau (Inc.) discloses very definite evidences that the American Cigar Co., as late as February, 1930, was itself not free of this practice. It is somewhat unbecoming, therefore, for the American Tobacco Co. to cast the first stone. It should clean its own house. "Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?"

In the investigations made by the National Better Business Bureau (Inc.) reports were received from Ohio and Kentucky to the effect that "spit tipping" was practiced in the American Cigar Co.'s factories. Two handmade cigar factories in Kentucky were inspected and there was observed the practice of "spit tipping" in both of them. The Federal Trade Commission is possessed at this time of an affidavit by a Kentucky State inspector as to the truth of these facts.

I give below some interesting data concerning the "spit-tipped" practices of the American Tobacco Co. These incidents will show the utter lack of good faith on the part of this company in its advertising campaign and in its attack upon the property rights of cigar manufacturers. No good can come from any campaign that seeks to give the impression that a competitor's product is repulsive. It is said that the American Tobacco Co. expended approximately $19,000,000 for advertising in the year 1930. Should that large sum of money again be used in 1931 so as to deceive the public and injure an honest business?

Certain of the Cremo advertisements have incorporated fake photographs of cigar manufacturers allegedly "spit-tipping" cigars. If the American Cigar Co. were sincere in its crusade and actually had the interest of the public at heart and desired to eliminate effectually so-called "spit tipping" in the cigar industry, it appears to me that they would have referred their evidence to the proper health authorities in order that the conditions alleged might be corrected. Never once have they reported to the health authorities anywhere the insanitary conditions claimed to have been discovered in cigar factories.

There have been some interesting revelations in this connection. I have been informed, for example, that on July 23, 1930, one Jacob M. Kartub, of Pittsburgh, Pa., filed a suit for $50,000 damages against the American Cigar Co. He claimed that a picture was taken of him in his shop under the representation that it would be used in an article or prospectus of the cigar-making industry in its advancement. Instead, he charged, his picture appeared in one of the "spit" advertisements.

On August 13, 1930, an attorney from New Haven, Conn., stated that he had been retained by a small cigar manufacturer of that city to bring action against the American Cigar Co. The attorney stated:

> Through misrepresentation they obtained a photograph of my client, informing him that they were going to use the photograph in promoting his business and advertising his brands without charge to him. Thereafter they used the photograph and claimed that they had an affidavit of a photographer to the effect that he had seen Mr. Englander use spit in the making of cigars. This is an absolute falsehood, and I have written to the American Cigar Co. for a copy of the affidavit, which they have thus far refused to show.
>
> I know of other people who have asked them to send them copies of the affidavit, but have had the same result. I am informed by cigar manufacturers of this city that the advertisement is untrue and that they do not use spit in the making of any cigars.

If the American Cigar Co. is sincere in its condemnation of handmade brands of cigars, it is difficult to understand how it defends its continued sale of its own handmade brands. For example, it recently placed upon the market a new handmade brand called the "Pell Mell" and labeled as a "Faultless cigar." How does the crusading American Tobacco Co. justify describing as "faultless" a product made under the conditions which they ostensibly condemn?

It is important to remember that the unfair advertising practices of the American Cigar Co. and of the American Tobacco Co. are not characteristic of the cigar industry as a whole. Cigar manufacturers everywhere have subscribed to an advertising code in which they go on record to the effect that cigar advertising shall "justify consumer belief" and "be fair to competition." That code is as follows:

Whereas cigar manufacturers adopting the following standards agree that in so far as is possible and practicable it is their desire to promote voluntarily fair-play methods of competition in the advertising and selling of cigars; and

Whereas it is further agreed by cigar manufacturers adopting these standards that they desire and will welcome the cooperation of the National Better Business Bureau (Inc.) as their agency of assistance in carrying out the purposes of these standards, and toward this end it is agreed by each manufacturer that the compliance of his firm to the standards shall be sincere and complete; and

Whereas cigar manufacturers adopting these standards agree to cooperate fully with the National Better Business Bureau in the voluntary maintenance of these standards: Therefore be it

Resolved, That the following standards be adopted to govern the advertising and selling of cigars:

1. Cigar advertising shall justify consumer belief.
2. Cigar advertising shall be fair to competition.
3. Cigar manufacturers will submit proof of claims made in advertising upon request of the National Better Business Bureau.

To date approximately 60 of the more prominent firms, representing by volume more than one-half of all cigars made in this country, have subscribed to this resolution.

METHANOL—WOOD ALCOHOL

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the change announced by Doctor Doran in connection with denaturing industrial alcohol, and to include a statement by Doctor Fuller, formerly Chief of the Bureau of Chemistry and a former assistant to Doctor Wiley. Doctor Doran has announced a substitute for wood alcohol as a denaturant. At this time of the year there is very great danger to the public in the use of wood alcohol, particularly around the Christmas season, as stated by Doctor Doran. Dr. Henry W. Fuller has written a short article from the standpoint of health in relation to the use of wood alcohol. I think it would be of great benefit to the public if the contents of that article could be known as generally as possible. It would probably save many lives that otherwise might be lost through the use of this dangerous ingredient.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, will the gentleman also include some information concerning Doran's Special Garlic Aroma?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the gentleman from Missouri speaks of the position formerly held by Doctor Fuller. What is his present interest in this question? Is he connected with some concern that has a financial interest in some product he wishes to advance?

Mr. DYER. None whatever. Doctor Fuller was formerly assistant to Dr. Harvey W. Wiley.

Mr. CRAMTON. It is not a propaganda for some particular product?

Mr. DYER. Not at all. I would not make such a request.

Mr. MENGES. Mr. Speaker, reserving the right to object, I noticed this morning in the paper that Doctor Doran has finally succeeded in getting a denaturant which can be used instead of wood alcohol for the purpose of denaturing industrial alcohol. I think we may as well not publish anything further until we have some definite information from Doctor Doran in regard to has denaturant. For the time being I shall object.

Mr. DYER. I ask the gentleman to withhold his objection for a moment. Doctor Doran has announced that he has found a substitute, but it will be probably some months before it Is in use. In the meantime wood alcohol will be used, and in order to prevent its possible use as a beverage, to the detriment of many people, I ask that this scientific article be published. I shall show it to the gentleman, and if he has any objections to it I shall not even have it published. I know the gentleman is a great scientist. He knows Doctor Fuller and his reputation. There is nothing in the article that criticizes anybody. I seek to do this just to give some information on public health.

Mr. MENGES. With that understanding, I withdraw my objection for the time being.

The SPEAKER. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article on Methanol (Wood Alcohol)—Its Control a Public Health Problem, by Henry C. Fuller, B. S., formerly chemist, Bureau of Chemistry, United States Department of Agriculture, and assistant to the late Dr. Harvey W. Wiley in food and drug investigations:

ITS CONTROL A PUBLIC-HEALTH PROBLEM

They call it methanol now, the same liquid with its subtle effects that for years has been a danger signal to health in the mind of the public and known to the layman as wood alcohol, and human ingenuity can not change the actions that nature has given a substance, no matter by what name it is designated. It is the same insidious poison under the name of methanol as when it was given its first appellation, wood spirits, subsequently termed "wood alcohol," "methyl alcohol," "Columbian spirits," "colonial spirits," "wood naphtha," "methyl hydroxide," "methyl hydrate," "greenwood spirits," depending on the degree of commercial purity under which it was sold.

But no matter how pure it was from a chemical standpoint (and the commercial methanol—wood alcohol—now on the market is practically chemically pure), it has always possessed the same physiological action, intensified to some extent by the amount and character of the impurities present. For methanol—wood alcohol—is methyl alcohol, and all of its commercial ancestors were methyl alcohol of various grades of refinement; by that I mean, with extraneous substances in greater or less quantity.

How did methyl alcohol come into the picture of our economic life? It is interesting to delve a bit into its history. It is something that has not come down from the alchemists, nor was it known to the Arabic school that was responsible for many valuable additions to chemistry and medicine and which pointed the way for the preparation of a fairly pure grade of ethyl alcohol by Arnold, of Villanova. The age of methyl alcohol dates back scarcely a century, and it would appear that the development of the steel industry in the first half of the nineteenth century was indirectly responsible for placing methyl alcohol on the map. It came about because the increasing demand for wood charcoal, to make highly resistant steel, caused the abandonment of the primitive method of charcoal burning and established the retort process, whereby the wood was converted into charcoal in a closed container. By the old method, the gases and vapors produced by slow burning passed into the atmosphere and were lost, but in the retort process, they come off through a pipe and may be burnt under the oven or condensed. The condensed material was found to contain a variety of substances and among them was methyl alcohol. Hence, from its source and method of production it was given the name "wood alcohol." It was long about the close of the Civil War, in 1865, that methyl (wood) alcohol may be said to have had its introduction into the chemical family. From that time until the present it has been an article of commerce, in one form or another, and in various degrees of purity it has been a factor in the arts.

Methyl (wood) alcohol has had its ups and downs just like the stock market. In a state of high purity, known as Columbian spirits and colonial spirits, it was featured as a substitute for grain alcohol and its use was extended to the manufacture of medicines and toilet articles. But it was not long before serious reactions to the public health followed. A curb on its widespread distribution followed and its popularity took a downward trend.

Within very recent years new processes for the manufacture of methyl (wood) alcohol have been developed, and now it is not wholly made from wood but is synthesized from carbon monoxide, or water gas, and carbon dioxide, and has blossomed out as methanol, the term by which it was known to the systematic chemist as the first member of the alcohol family. So, while there may be a "selling argument" against calling it wood alcohol, it is, from the public standpoint, the same substance and produces just the same physiological reactions and has the same effect on the public health as when it was entirely distilled out of wood during the preparation of charcoal for our steel manufacturers.

After methyl (wood) alcohol got into the trade and since there were no cautions or warnings about its insidious character, and as it got into medicines and bay rums, perfumes and toilet waters, it naturally began to influence, in a deleterious way, the health of people with whom it came in contact. Soon the medical fraternity began to report cases of severe illness and death under peculiar circumstances, and in many instances the conditions were accompanied by disturbances of the occular system. People went blind in a mysterious manner, and it was not long before systematic studies of these cases, checked with statistics relative to the composition of the offending agents, pointed to methyl (wood) alcohol as the element causing the trouble.

Beginning in 1904, Casey Wood, the celebrated Chicago eye specialist, and Buller reported 153 cases of blindness and 122 deaths

due directly to methyl (wood) alcohol, and Wood subsequently followed this article with others on the same subject. Casey Wood did everything thoroughly, and since his retirement from active practice he has pursued ornithology with the same avidity that he pushed his ophthalmic researches, and recently journeyed to England and went down to Surrey for the express purpose of hearing the nightingales sing during the mating period. The literature since that time has been replete with reports of poisonings by wood alcohol. The toxicity has resulted not only from the internal consumption of articles in which methyl (wood) alcohol featured as the solvent but from local application and inhalation. Instances of severe cases of intoxication from methyl (wood) alcohol have occurred with workmen who were using shellac to varnish the interior of beer vats and who inhaled the vapor of methyl (wood) alcohol which was used as a solvent for the varnish. Wholesale poisonings occurred in Berlin, and there are instances of damage from methyl (wood) alcohol to the population of foreign countries noted in the literature. In 1914, 12 persons died and 30 others were rendered dangerously ill in Vermont from drinking wood-alcohol whisky. The Journal of the American Medical Association in 1914 issued a statement that nearly 1,000 cases of poisoning attributed to wood alcohol had been reported in the literature since 1893. It is unnecessary to amplify this list. The statistics are appalling. To anyone interested in individual references, it is impressive to run through the compilation of reports of cases of (wood alcohol) poisoning in the files of the Hygienic Laboratory of the United States Public Health Service, an index which was inaugurated by Reid Hunt.

When reports on the deleterious effects of wood alcohol began to appear, those who were responsible for its promotion sought to minimize its lethal nature by placing the blame on the impurities it might carry. It was suggested that acetone, methyl acetate, allyl alcohol, and other components were really to blame. Systematic studies, however, showed that it was the methyl (wood) alcohol itself, the methanol, which composed from 80 to 99 per cent of the various grades of commercial articles, that was producing certain characteristic combinations of symptoms, including headache, nausea, abdominal cramps, difficulty in breathing, conjunctivitis, and serious disturbances of the retina and optic nerve. The difficult breathing and the affections of the retina and optic nerve were particularly characteristic of the injuries sustained by the individuals who were exposed to the action of methyl (wood) alcohol. The saddest thing, of course, is the blindness that it causes and which is the reason for emphasizing its dangers; because blindness is looked upon by the insurance companies, handling accident policies, as equivalent to loss of life, and the compensation clauses offer the same returns to the individual for the loss of his eyesight as they do to his beneficiaries if he is killed.

Let us quote the opinions of some of the authoritative workers on the pharmacology and pathology of methyl (wood) alcohol: Reid Hunt, in 1902, published the results of some researches conducted on animals which showed that while methyl (wood) alcohol, when taken in a single dose, is, as a rule, no more dangerous (at least to the lower animals) than an equal amount of ethyl alcohol, when its use is continued for even a short time it is an extremely dangerous poison. * * * Methyl (wood) alcohol given in small doses every other day was tolerated but for a few weeks; the animals remained comatose for days, did not eat, and died, although the administration of the alcohol was discontinued. Extensive fatty degeneration of the liver was always found. (Ethyl alcohol * * * could be given to animals (dogs and rabbits) in doses sufficient to cause intoxication for months and even for almost a year without causing marked functional disturbances.)

Hunt goes on to describe some work of Hirchfeld, who investigated the effects of methyl (wood) alcohol upon the retina and optic nerve, and commented on the difficulty he experienced in keeping the animals alive for even short periods when small doses of methyl alcohol were administered at short intervals.

The experiments of Birch-Hirschfeld upon monkeys are of especial interest, since these animals react toward narcotic poisons in much the same way as does man, and also because the effect of the poison upon the eye can be studied to far better advantage upon monkeys than upon dogs and rabbits. Birch-Hirschfeld describes experiments upon three monkeys; pure methyl (wood) alcohol diluted with several times its volume of water was given in doses of from 3 to 6 or 7 cubic centimeters every one or two days. When it became evident that the animals were at the point of death they were killed in order that the eyes and optic nerves could be obtained in good condition for microscopical study. * * * Two of the monkeys had marked degenerative changes in the retina and one was totally blind. Similar histological changes were found in the retinas of three dogs poisoned by methyl alcohol, although it had not been possible to detect disturbances of vision during life.

Pohl, in his well-known work on the oxidation of alcohol in the animal body (Archiv. f. Exper. Path. u Pharm., 31, p. 281; 1893), stated that chronic poisoning by methyl (wood) alcohol is markedly different from that caused by ethyl and other alcohols of this series.

Hunt's experiments on the subacute effect of methyl alcohol on animals may be summarized in his own words, as follows:

"In all of these experiments the dog which received the methyl alcohol died, while those which received equal or larger doses of ethyl alcohol in exactly the same way recovered. The differences between the action of the two alcohols could probably have been brought out still more strikingly if more attention had been given to the dosage. The results of the experiments upon rabbits agree entirely with those obtained in the experiments upon dogs and show how toxic methyl alcohol is when its administration, in suitable doses, is continued for even a few days. The great difference between the toxicity of methyl and ethyl alcohols might be overlooked entirely in experiments in which only the effects of single large doses were studied."

Hunt, in discussing the effect of the inhalation of wood alcohol, again compares the two alcohols when, in 1925, he said:

"Methyl alcohol is more volatile than ethyl alcohol and the inhalation of its vapors by painters and others has frequently caused death and blindness, one author reporting 68 such cases."

The experiments on which the above comments were made were conducted with methyl alcohol that came from wood distillation. Reid Hunt reports as follows on the physiological action of the synthetic methyl alcohol which is now being sold under the designation methanol (Journal of Industrial and Engineering Chemistry, volume 17, No. 7, page 763, July, 1925):

"I have performed a number of experiments upon animals with the German (synthetic) methanol which you sent me. The results were the same (qualitatively and quantitatively) as those obtained with pure methyl alcohol obtained from wood distillates. The synthetic methanol showed the same characteristic differences from ethyl alcohol. When the two alcohols were given in equal doses the animals receiving a single (large) dose of ethyl alcohol were more profoundly affected, showing a greater degree of incoordination and a greater depth of narcosis, than did those that had received the methanol. When, however, these doses were repeated a few times at 24-hour intervals the differences between the action of the two alcohols became very striking. The animals receiving the ethyl alcohol became less powerfully affected (tolerance), whereas those receiving the methanol became more deeply poisoned with each dose (cumulative action). Thus after the third or fourth administration of a comparatively large dose of methanol the animals passed into a state of coma, in which they died, whereas similar doses of ethyl alcohol had a progressively less effect and could apparently be continued indefinitely without obvious harm.

"Although the lower animals can tolerate somewhat larger single doses of methyl than of ethyl alcohol, it is known that this is not true of man; the more highly developed nervous system of man is more seriously affected by methyl alcohol than is that of the lower animals and permanent blindness has often been reported from single, sometimes small, doses of methyl alcohol, whereas such results are unknown in the case of ethyl alcohol.

"I did not perform experiments to determine the effect of the synthetic methanol upon the eyes of the lower animals. Such experiments seemed unnecessary, for it was shown years ago that it is the methyl alcohol in wood alcohol which causes the injuries to the eye, and since synthetic methanol is simply methyl alcohol and has the characteristic physiological action of the latter, there is no reason to suppose that it would spare the eye.

"It can confidently be predicted that the use of the synthetic methanol as a beverage or as an adulterant will be followed by the same disastrous effects to life and vision as have characterized such uses of wood alcohol. Those who are circulating the report that the synthetic methanol is not poisonous are not only stating an untruth but are assuming a grave responsibility, for death or blindness will inevitably be the fate of a number of those who may be misled by such statements and attempt to use synthetic methanol as a beverage."

Lecturing on "Wood Alcohol" before New Jersey health and labor authorities, on March 11, 1930, Dr. R. H. Price, assistant medical director of E. I. du Pont de Nemours & Co., said:

"Research work was conducted under the direction of Dr. G. H. Gehrmann, of the du Pont Co., in regard to the toxicity of wood alcohol, crude and refined preparations being used as well as both natural and synthetic products. The experimentation upon animals was conducted by Dr. H. F. Smyth. All animals used for testing were kept under observation for at least two weeks before exposure to the alcohol in order to determine their physical health. In tests for absorption by stomach, rabbits were used. In tests for absorption through the skin and for inhalation of vapors, guinea pigs were employed. The conclusions as a result of this work were corroborative of those of Dr. Reid Hunt and other investigators that wood alcohol is capable of producing death, degeneration of kidneys and liver, or blindness, if taken into the body through stomach, skin, or lungs, in sufficient dosage."

One could go on almost indefinitely quoting the results of pharmacologists and physiologists of authority who have worked on the problem of methyl (wood) alcohol from one angle or another. I have before me a digest of the work of some 40 authors other than those quoted, but we must pass on to the consideration of the research work and studies of others who were observing the effects of methyl (wood) alcohol in the hospitals and in private medical practice. As an example, we will quote Tyson, surgeon to the Knapp Memorial Eye Hospital, New York City, who made a report before the American Medical Society for the study of alcohol and narcotics in December, 1915:

"When its vapor is inhaled in a confined space it is just as poisonous as if the same quantity had been imbibed, as evidenced by the many cases of partial or total loss of vision and death observed in workers varnishing the interior of beer vats, in closed rooms, lead pencil varnishers, hatters, metal workers, and others. While a greater number of cases of poisoning have resulted from drinking cheap whisky, etc., where methyl had been substituted for ethyl alcohol on account of its lessened cost, its poisonous effect will assume greater importance in the near

future on account of the occupational health insurance laws about to be enacted, which will concern every industry in which it is used, on account of the possible danger of poisoning from inhalation or absorption while handling it.

"Most drugs after absorption into the blood appear to have a specific action on special tissues; some undergo a chemical change in the liver, while others are retained for a time in the blood stream. Methyl alcohol apparently possesses all three characteristics, manifesting a selective action for the nervous elements, and it is especially observable in those of the eyes. While 90 per cent of the ethyl alcohol absorbed is oxidized into carbonic acid and water in 15 hours, and the remainder being completely oxidized later, only about 40 per cent of absorbed methyl alcohol is oxidized in 48 hours, forming formic acid, 25 per cent is eliminated in the urine, perspiration, and breath, the remainder requiring a longer time for oxidation circulates in the blood stream producing a continuous toxic effect. The organism endeavors to eliminate a considerable part of it through the bile, which after entering the intestines is reabsorbed, thus forming a vicious cycle.

"The difference in the intoxication produced by ethyl and methyl alcohol is that the one produced by ethyl commences quicker and subsides more quickly, while that produced by methyl is slower in its incipiency, more profound and persistent, and slow in recovery, and is decidedly more toxic."

Dr. Carey P. McCord, Industrial Health Conservancy Laboratory, Cincinnati, Ohio, 1929, stated that the toxicity of methanol (wood alcohol) is well recognized. It may enter the body, he says, in toxic quantities through the portals of the skin, the nose in inhalation, the mouth in ingestion.

Dr. David I. Macht, Johns Hopkins University, 1929, says:

"Poisoning from wood alcohol has been known for many years on account of its extensive use in the arts as a solvent for paints, varnishes, etc. * * * In addition to its destructive effects on the optic nerve and the central nervous system, wood alcohol is also very depressant for the heart and blood vessels."

Dr. Raphael Isaacs in the Journal of the American Medical Association, September 11, 1920, says:

"Methyl alcohol appears to act as a respiratory poison, the rate of breathing in severe cases being reduced to six or fewer times per minute and quite shallow. * * * A characteristic feature is dilatation of the pupils which, however, may react somewhat to strong light. With the return of full consciousness the patients usually complain of blurring of vision, noted in from 1 to 12 hours."

Dr. Alexander Comora, reporting seven definite cases of methyl-alcohol poisoning, in the New York Medical Journal, April 3, 1920, emphasized that Dr. Camac of Gouverneur Hospital cautioned the staff to be on the lookout for methyl (wood) alcohol poisoning, and so every unconscious patient brought to the hospital was closely observed for symptoms and signs of wood-alcohol poisoning. He concludes his paper as follows:

"1. A definite clinical diagnosis of methyl-alcohol poisoning is not always possible.

"2. In every unconscious patient due consideration should be given to wood-alcohol poisoning.

"3. A specimen of stomach contents should be taken immediately for a clinical analysis of wood alcohol."

Thus by the pharmacological and clinical investigations of the past 30 years it has been definitely established that wood alcohol, methyl alcohol, methanol, is a violent poison, and an insidious poison, a treacherous substance that reveals its dangerous character by no warning odor or taste, as do some other common toxic agents, like carbolic or prussic acids. In a state of high refinement, such as characterizes the synthetic methanol (wood alcohol) of recent vintage, its odor and taste are unobjectionable and carry no warning of its inherent dangerous properties.

Methanol (wood alcohol) may be classed as a true poison, the toxic-amentum ideal, of which the number is limited. At first thought it might appear that the term "poison" is capable of simple definition and example, but there is hardly any term that baffles explanation as does "poison." Even strychnine and arsenic, which must bear the red label with skull and crossbones, are not at all poisonous under certain conditions of dosage and administration; in fact, they may be distinctly beneficial when properly used. But to the layman they are poisons. We employ bichloride of mercury as a typical application, and at one time, in the form of antiseptic tablets, it was probably the most widely used of any substance for personal hygiene. And there are many other so-called poisonous substances in common use, carbolic-acid ointment, iodine in the form of tincture, atropine to control excessive nasal secretion. The list might be extended, but enough has been cited to demonstrate the difficulty of giving an example of a poison that is always toxic.

In methanol (wood alcohol), however, we have an example of a sure and certain poison, no matter how it is used. Toxic effects come from breathing its vapors, from absorption through the skin when it comes in contact with the body, and, of course, when consumed by mouth, innocently or accidentally. And it is a poison for which there is no known antidote.

As a bearing on the classification of wood alcohol as a poison, it is of interest to record a decision of Hon. Gilbert Bettman, attorney general of Ohio, handed down November 24, 1930, in which, referring to his State law on poison, he states:

"It must be borne in mind that although methyl alcohol is the chemical name for wood alcohol, the term 'wood alcohol' is more commonly used and understood. The statute is, in my opinion, particularly clear in providing that methyl alcohol must be labeled in letters not less than 1 inch in height, 'Wood alcohol.' The obvious purpose of this law is to advise the layman, who perhaps knows nothing of chemical terms, in generally understood language that he is purchasing a substance which he knows is a poison. There may be many persons who might confuse the term 'methyl alcohol' with the term 'ethyl alcohol,' which latter substance is nonpoisonous."

Since the advent of synthetic methanol, cases of methyl (wood) alcohol poisoning have increased to an alarming extent. The wholesale distribution of the substance as an antifreeze has this fall (1930) been responsible for unprecedented outbreaks of typical methyl (wood) alcohol toxemia all over the country in localities where the commodity is sold.

The situation has begun to attract the interest of public-health officials—municipal, State, and national—and the legislators of our Commonwealths and National Congress. Some actions, more or less local, have been taken to educate the public to the dangers attending the use of methanol (wood alcohol), to regulate its traffic, and to curb an epidemic which, if present conditions are allowed to prevail, may assume very serious proportions.

As an example of educational activity, attention is called to the warning issued in poster form by the Wisconsin State Board of Health and the Industrial Commission of Wisconsin in October, 1930, which, after a heading in red letters and a list of names by which methanol is known, continues as follows:

"1. Exercise care in the use of this product as an antifreeze mixture or otherwise.

"2. It is poisonous when swallowed, inhaled, or absorbed through the skin.

"3. Authorities advise that it is a cumulative poison. Frequent repeated small doses induce blindness and larger doses, whether by stomach or lungs, may cause death.

"4. The toxic dose is not large and is easily reached even when amount absorbed daily is too small to induce a noticeable initial effect.

"5. Methyl alcohol boils at 150.8° F., a moderate engine temperature, and therefore vaporizes readily in automobile radiators.

"6. Garage employees and automobile owners should be particularly careful in the use of this product.

"7. Containers should be labeled 'poison' and users instructed as to its hazards."

The question is whether there are any purposes for which methanol (wood alcohol) is now employed that can not be just as well served by solvents that are comparatively innocuous. Of course, methyl (wood) alcohol has an important place in chemical manufacturing as it furnishes the methyl group for developing synthetic bodies, just as ethyl alcohol furnishes the ethyl group where it is needed. But aside from such uses and as the basic substance for the preparation of formaldehyde, it would seem that in our economic life the public health can best be conserved by dispensing with its use to the minimum limit.

Its traffic ought to be regulated as rigidly as is the traffic in other poisons. Where it has to be handled for manufacturing purposes it might be properly denatured and sold under restrictions similar to those which now surround the traffic in the Federal Government's specially denatured ethyl alcohol. Such measures might properly be under national control. In some of our Commonwealths and municipalities there are laws and ordinances limiting the sale of methyl (wood) alcohol and preparations containing it, and providing for certain requirements in labeling, which will set forth its danger as a poison. But there is little or no uniformity in the scope and character of these regulatory measures, and what we need for the protection of the public health are uniform State laws and uniform ordinances in the cities and towns to control the local sale and dispensing.

Such regulatory measures may be obtained when the legislators and city councils have been fully awakened to the seriousness of the situation, and realize the necessity for its control. Without such legislation we may expect widespread outbreaks of methanol (wood alcohol) poisonings, and perhaps epidemic conditions, and it is by resolutions from properly qualified medical societies and health associations that we may hope to impress the authors of our laws with the necessity for protecting the public and to take prompt and proper action of a remedial nature.

In conclusion, and with a bearing on the topic under discussion, it may be of interest to quote an editorial in the Washington Post, November 2, headed "Deadly Wood Alcohol":

"The menace of wood alcohol is attracting the attention of health authorities in all sections of the country at the season when the motorist is preparing his radiator against freezing weather. That this poison is as dangerous to human life when inhaled in the form of gaseous fumes or absorbed through the pores of the skin as it is when taken as a beverage seems to be recognized by health authorities everywhere. The latest warning is from the pen of Dr. Morris Fishbein, editor of the Journal of the American Medical Association, in an article in the Scientific American:

"'If this substance (wood alcohol) is to be used as an antifreeze mixture in the coming winter, employees of garages who will inhale large amounts are likely to suffer injury as a result.

"'Cases have already been reported in which women and children, who have used quick-drying shellac or varnishes made with methanol in closed rooms have suffered harm as a result. In the great spray process used in automobile factories the spraying is done under hoods and employees wear masks, so that they are protected against the hazards. As is usual in modern industries,

the name of the product has been concealed by the bestowing of fanciful names and the average person does not recognize, under the fanciful title, the old, old hazardous wood alcohol.'"

The next paragraph in that editorial refers to the warning of the Wisconsin State Board of Health, which I have already quoted, and the editor concludes with the following significant paragraph:

"The Industrial Alcohol Division of the Treasury Department should be given control over the making and distribution of wood alcohol for the protection of the public."

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Interior Department appropriation bill, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14675, which the Clerk will report by title.

The Clerk read the title of the bill.

The CHAIRMAN. At the conclusion of the last consideration of the bill in the Committee of the Whole House on the state of the Union the Clerk had read the bill for amendment to line 18, page 14. There being no amendment offered now, the Clerk will read.

The Clerk read as follows:

For the payment of newspaper advertisements and printing locally of posters of sales of Indian lands, $500, reimbursable from payments by purchasers of costs of sale, under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word.

I do so for the purpose of inquiring under what circumstances are these advertisements made for the sale of Indian lands. It is my impression that the Government sought to protect the sale of Indian lands and to rather discourage it. Are the Indian lands subject to seizure for debt?

Mr. CRAMTON. Oh, no. That is not what is involved. Generally speaking, lands owned by restricted Indians can not be alienated.

Mr. LaGUARDIA. That was my impression.

Mr. CRAMTON. They can not be sold, but there are some cases where heirship lands may be sold, and there might be special cases where Indian lands might be sold, and in such case a public sale is required, and this permits advancing the money to pay for the advertising. The money may have to be paid before the sale, and then after the sale it is reimbursed. It is a small appropriation, and even less than that is used.

Mr. LaGUARDIA. Am I right in believing that the sale of land is rather discouraged than encouraged?

Mr. CRAMTON. Absolutely.

I might take just a minute to make a statement to answer what the gentleman from New York has in mind.

The general policy of the Government now is to hold down on the disposition of their lands by the Indians. From time to time there come waves of a sort of idealistic hysteria that the Government is bureaucratic and arbitrary in its treatment of the Indian, will not let him handle his own property, and they want the restrictions removed. Very well meaning people, very well meaning officials are sometimes affected by that, as was Secretary Lane when he was Secretary of the Interior. So the restrictions are removed from a great number of Indians, as in the case of certain of the Chippewas of Minnesota, and as soon as the restrictions are removed and they have the power, too often they sell the land, waste the money, and soon they are destitute. We have those cycles. Occasionally that idealistic outcry becomes effective, but I think I am justified in saying that the present policy of the Secretary of the Interior, the Commissioner of Indian Affairs, and the policy which our committee entirely agrees with, is to proceed with great caution in removing the restrictions, so that they may not lose their lands.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For the purchase of lands, including improvements thereon, not exceeding 80 acres for any one family, for the use and occupancy of the full-blood Choctaw Indians of Mississippi, to be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States under such rules and regulations as he may direct, $6,500.

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word.

I wish to take this opportunity to say just a few words, because later on in the bill there will be some controversial questions, and perhaps the atmosphere may be somewhat tense. Other speakers, during general debate, have taken time to express their tribute for the splendid services rendered by the gentleman from Michigan [Mr. CRAMTON], the chairman of the subcommittee. They were all friends of the gentleman, believing in all things as he does. The RECORD would not be complete unless something is said by a foe, in a political sense, of course. I wish to say, though the gentleman from Michigan and I have differed on one big controversial question, no one can doubt his sincerity and his belief in the righteousness of the cause which he espouses. [Applause.]

I respect his sincerity and his right to advocate his views as we on the other side claim for ourselves. I want to say to the new Members that they can get no better and liberal legislative education in the matter of appropriations and in the functioning of the Department of the Interior than to sit and listen to the gentleman from Michigan as he carries on his legislative duties from day to day in this House. [Applause.] Not only in the material matters of this department, in ditches, canals, dikes, dams, and docks, but in the human side, the care of the Indians, the care of the charges of the Government, education, and up until recently the great Pension Bureau, which came under this department.

I simply want to state publicly and for the permanent RECORD that it will be a distinct loss to the legislation of this House when the gentleman from Michigan leaves us.

Now, with reference to the big question on which we differ, everyone fighting for a cause likes to have able, clean, and fearless opponents. I salute you, Mr. CRAMTON, as a fearless and relentless hard-hitting opponent, but always a clean and fair fighter. [Applause.]

Mr. BLANTON. Mr. Chairman, in my judgment, the United States Government has suffered a distinct loss in the failure of our colleague from Michigan [Mr. CRAMTON] to be reelected to the next Congress. His far-away constituents certainly could not have been aware of his splendid services here, most valuable to all of the people of the United States. I have never in my life seen a public servant work harder, more zealously, or more faithfully in the performance of his duty than Mr. CRAMTON has done.

When I have incensed the Republican leaders from time to time by things I have said on the floor, and they have retaliated by attempting to punish me, the gentleman from Michigan, being a regular Republican, has with only one notable exception always voted with the Republican organization against me; but, notwithstanding that fact, I have been his friend; I have been one of his followers and one of his great admirers.

There has not been a man in this Congress who has been baselessly cussed more by the Washington newspapers than has Mr. CRAMTON, and yet there has not been a man who has ever served in this Congress who has done more for the District of Columbia and for the people of Washington in a constructive way than has Mr. CRAMTON. He has worked tirelessly and jealously to make Washington the most beautiful city in the world. He is a man who has been absolutely fearless in the discharge of his duties. He has been condemned from time to time by the selfish Washington newspapers because he would not wear their yoke and obey

their orders, because he stood for the best interests of the people of the United States. He stood their vitriolic abuse alone sometimes, and yet he has done it fearlessly and he has never quailed. When many Members have been on vacations in the hot summer time, recuperating and relaxing, Mr. CRAMTON has been traveling over the United States studying Government projects in the interest of the people.

I want to add my little tribute to him. I hope that some day in the near future he will come back here. Our Government needs him. Something has been said about providing now a position for him. There is not any position within the gift of the administration to-day that is too good for him and which he could not worthily fill. He is most competent. I hope he will get the very best there is to be given out, and I also hope that some day he will come back and again help serve his country. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

For purchase of land, city water service connection, installation of pipe and hydrants, and erection of standpipe with necessary protective structure for the Indian colony near Ely, Nev., as authorized by and in accordance with the act of June 27, 1930, $1,600.

Mr. ARENTZ. Mr. Chairman, I move to strike out the last word. I notice on page 19, line 18, the language:

For purchase of thresher, binder, hay baler, and other farm equipment.

I am rising to my feet at this time for the purpose of directing the attention of the Commissioner of Indian Affairs and everyone in the Bureau of Indian Affairs to the fact that there are Government farmers employed on nearly every reservation, who should be directed in their efforts so they may be of greater use to the Indians—the people these Government farmers are hired to direct and assist. These items bring to mind the fact that there are farmers on Indian reservations who would like to get a little encouragement from such Government farmers. I visited several Indian reservations during this past summer, and I find that a change should be made in some instances and in others these Government farmers should be directed in their efforts so that they may be of greater use to the Indians, exert greater interest in their jobs, and be supervised to the end that real service to the Indian farmers or herdsmen will be accomplished. I saw immediately in front of the superintendent's house on several reservations which I visited and I saw in front of the general store on the reservations a plot of ground that at one time was in alfalfa but which is now spotted like an old carpet, indicating to the average visitor that it might have been alfalfa at one time, but has not received any notice from anybody in, possibly, a 10 or 15 year period. I think the Government farmers on Indian reservations should do something for the Indians. I think they should, at least, show the Indians how to work. I dare say, however, that on most of the reservations in the United States the Government farmer lacks either the incentive or the direction. I think some of these farmers have lost interest in their jobs. Some one in authority in the Indian Service should be able to discern this state of affairs and either shift, disconnect from the service, or instill some measure of spirit in the Government farmer.

I am saying these things for the purpose of directing the attention of the Commissioner of Indian Affairs to the fact that something must be done to encourage the Government farmers to do something which will help the Indians. If the commissioner does not do it, I hope I will be able to offer an amendment to the next appropriation bill which will eliminate some of these Government farmers from these Indian reservations. I think some good can be done by these farmers. I think these farmers can encourage the raising of livestock. On one Indian reservation which I visited there was not a hog. I saw few chickens and few milch cows, yet the farmer is there to try to do something for the Indians. I want all these farmers to do what they are hired to do, and I suggest they may learn a great deal by watching the operations of Farm Bureau agents.

I am a friend of the Indian. I want to be an active friend to these Government farmers, but I insist that they "deliver the goods." I want to see the Indian helped, and I hope the Commissioner of Indian Affairs and everyone who is associated with him, when they make a trip to the Indian reservations, will see that the Government farmer is doing something along the line for which he was hired.

Mr. CRAMTON. Mr. Chairman, speaking in opposition to the pro forma amendment, since this particular paragraph has been mentioned, I think I should explain that the money involved in this Nambe Pueblo item results from decisions made by the Pueblo Lands Board, which has held certain moneys due these Indians, and after those decisions the money is held in the Treasury until appropriated in some manner for their benefit. This expenditure as to those Pueblo lands is in accordance with the desire of the Indians.

As to the much wider question which the gentleman from Nevada has discussed, there is a great deal of force, of course, in what he says. With his knowledge of conditions in the West he has general knowledge of the subject. The Indian Bureau, however, has already taken steps to correct the situation complained of.

There were formerly farmers supposed to teach the Indians how to farm. In the visits of our committee to the West we got the impression that while some of those farmers had capacity and were effective and were producing results, others did not have enough ability themselves to be able to teach the Indian anything. As a result, two or three years ago our committee provided an appropriation for a better-trained class of agricultural instructors, more nearly of the type that is found in the extension work generally in the country with other farmers.

This year the Indian Service urged upon our attention the need of more funds to give more emphasis to this work, not only through better-qualified men but also to give them enough money for clerks at field agencies so the farmer could do the work he is supposed to do instead of acting as a clerk. For some years we have cut down so closely on administration funds that the farmer in many cases was allowed no time to do that work, but instead was performing some clerical function, and this bill carries additional money so that we expect in the year 1932 that anyone who is on the roll as a farmer will be devoting his time to that work and not to something else; and in the hearings the gentleman will find quite a considerable discussion of this very problem.

The only other thought I want to present, suggested to me by the gentleman from Nevada [Mr. ARENTZ], is this: What the gentleman says about not finding hogs or cows or chickens on an Indian reservation does serve to emphasize not only the responsibility that is on the farmer who is trying to teach them and lead them, but also emphasizes the difficulty of his job in many cases. One trouble about the Indian keeping stock like cows and chickens that need care and attention is that so often the Indian, when he hears about a medicine powwow or a dance or a rodeo, or something of that kind, he and his family pack up and go off and leave whatever livestock they have, and if he had a dozen milk cows on the place he would just go on off to the rodeo and be away for a week, and his stock, of course, would suffer accordingly. There are many reservations where this would not happen and where the gentleman will find some good stock, but in the cases where they have not advanced enough so that they are willing to stay home and take care of their stock there is not much use urging them to buy it or lending them money with which to buy.

Mr. SNELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I have been a little disturbed about the position the House took on the Wood amendment in the last appropriation bill. I understand the same amendment is coming up on the present bill.

I am one of the Members of the House that always follows the Committee on Appropriations, or practically always, and I presume I would follow them in this matter to the last ditch if it were absolutely necessary; but when that

amendment was before the House last week I did not fully understand it.

While I do not know that it is necessary or a good thing at this time to increase salaries, on the other hand, when we are appropriating money as lavishly as we appear to be doing at the present time, I do not know that it is a mistake to increase some poor fellow in the Government service $5 a month. I am not quite sure but what we went too far when we said they could not use the lapses that come about in the service for the adjustment of salaries within the grades, and I wish the members of the Committee on Appropriations themselves would reconsider this question to a certain extent and take into consideration all the conditions that exist at the present time and see if they can not be a little more liberal and at least allow the different bureaus to use the lapses for the increasing and readjusting of salaries within the different grades.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. SNELL. I will be very pleased to yield to the gentleman.

Mr. CRAMTON. While I hope we will not get into any lengthy discussion of this feature of the bill until it is reached, in view of the gentleman's suggestion I think I should bring to his attention the effect of what he suggests, not as an argument for or against it, but to let the House know what is the effect of what the gentleman has suggested, which sounds like a very simple and innocent matter.

Mr. SNELL. I think that is exactly what we ought to know.

Mr. CRAMTON. If the gentleman follows that course and does not provide any money for increases, but allows the various bureaus in the Government to increase salaries where funds are available through lapses, this will be the effect: What a lapse means is that if there is $100,000 in a certain item of the bill for pay roll in a certain bureau and there are a certain number of employees to take up that $100,000 and one of those employees dies or resigns or is retired, his $1,500 or $3,000 or $5,000, or whatever the salary is, lapses until somebody is appointed to succeed him; and if no one is appointed, under the gentleman's suggestion the bureau chief in that case could use that $3,000 or $5,000 to give various employees an increase of salary out of that item. The trouble with this is twofold. First, there is a direct encouragement to the bureau chief not to make the needed appointment in order that he may have money to raise some salaries out of that item.

The second one is this: There are items that are large—if an item has three or four hundred thousand dollars in it for salary the chance of somebody dying or resigning is much greater than in an item where six or eight men are employed. They have for years after this reclassification act been raising salaries out of some lapses, and the item where it is possible to increase salaries through lapse sums are the fellows who are getting the best salaries now. The fellows who are not getting a square deal to-day, this year and last year, are the fellows who have to be paid out of some small item or pay roll where there are no lapses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRAMTON. I ask that the gentleman be given five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. Now, in these cases where there are only a few on the pay roll and there are no lapses, they are the fellows most deserving who should get some increase in pay, and they are the ones who, under the gentleman's suggestion, would have to go without.

Mr. SNELL. But has the committee remedied the situation by not allowing them to do anything? There are always injustices, and always will be as long as man is fallible.

Mr. CRAMTON. My disposition is to give the first consideration, if there is to be any distinction, to those most deserving.

Mr. SNELL. I agree with the gentleman.

Mr. CRAMTON. If the gentleman will give consideration to those most deserving, if the Congress wants to stop salary increases—it said the other day that it did—let it apply to everybody. If they want to give salary increases—I have not gotten to the point where I am in favor of withholding them from those who are deserving and increasing the salaries of those who are less deserving.

Mr. SNELL. As a matter of fact, if you appropriate the same amount of money this year as you appropriated last year, you would not give any increase?

Mr. CRAMTON. Absolutely; yes.

Mr. SNELL. If they want to do the same work with less men and let other men get more pay, I am willing.

Mr. CRAMTON. That is not quite correct. If you have a lapse of a salary of $5,000 on a certain pay roll, and they need to refill the position, they give this man $200 increase and that one $200 increase and use it up, and then come to Congress—these salaries are only for one year—they come to Congress and say, "We have not enough men to keep up the work, and we have to have another man." So the next year you pay the bill.

Mr. SNELL. I appreciate the fact that there will always be some inequalities and some injustice as long as you leave it to an individual man to decide the amount. But, according to our plan of things, you have to do it that way.

Mr. CRAMTON. You do not have to do it in that way.

Mr. SNELL. You can not have a statutory limit for every individual salary.

Mr. CRAMTON. I think Congress made a tremendous mistake when it passed the reclassification act.

Mr. SNELL. But it has passed it, and it is on the statute books, and I think we should be governed by it.

Mr. CRAMTON. They might have passed an act applying the act to salaries of $3,000 or less, $4,000 or less, but when they let it apply to all alike it was a great mistake.

Mr. SNELL. The men who are getting four or five thousand dollars, some of them, are getting less than they can receive for the same services outside, and so they go into private employ. We do not want to lose them. I am willing to take the statement of the gentleman from Michigan; he has given more study to the subject than I have. I expect to stand by the committee, but I do hope the committee will give this proposition further consideration and see if they are not willing to be more liberal.

Mr. CRAMTON. I understand the item is in this bill because of the general policy adopted by the full committee.

Mr. SNELL. I appreciate that.

Mr. CRAMTON. When the item is reached, then, I should hope the chairman of the committee, Mr. WOOD, will be present, and that he would perhaps debate it with the gentleman. That is one reason why I prefer it should come up in that place in the bill instead of at this time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment.

I am glad this matter came up in this manner just now. It is very encouraging to hear the distinguished gentleman from New York [Mr. SNELL] take the stand that he did. I was greatly encouraged up to the time he said he would vote with and stand by the committee if it went to a vote. I am sure it will go to a vote, and I hope the distinguished gentleman will then be voting with us.

Mr. SNELL. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. SNELL. We must have an organization here. The real responsibility is on the Appropriations Committee, and I think we should support them as far as possible. I have explained my position, and I hope the committee will relent. I think perhaps it will.

Mr. LAGUARDIA. I am only doing what the gentleman has been telling me and preaching to me for 12 years. I am standing by the party and the President, and the Appropriations Committee is not. I am standing by the administration, and the committee is not.

Mr. SNELL. I hope the gentleman always will.

Mr. LAGUARDIA. I can not promise that.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. TAYLOR of Colorado. This clause is in the bill 100 pages from where we are reading now.

Mr. LAGUARDIA. Please do not take my time on that.

Mr. TAYLOR of Colorado. It seems to me we should not be compelled to argue it for three days here. Why does the gentleman not wait until we come to the section of the bill where the item is contained, and have this general debate all at one time?

Mr. LAGUARDIA. Because I want it to soak in.

Mr. TAYLOR of Colorado. Does the gentleman think it will require two days to soak in?

Mr. LAGUARDIA. It will perhaps take all of this session, but it is going to soak in eventually, because the position of the committee is wrong, and it can not be made right by shutting off debate.

Mr. TAYLOR of Colorado. Does the gentleman want to argue it on every section of the bill?

Mr. LAGUARDIA. I intend to argue it until the vicious section is taken out of the bill; until I make a nuisance of myself, if necessary, because I know I am right and the gentleman is wrong, and nothing can change the situation.

Mr. TAYLOR of Colorado. The gentleman can not take it out of the bill before we get to it.

Mr. LAGUARDIA. Very well. I just want these figures to soak in.

A great deal was said about the four and five thousand dollar employee. Permit me to say that in this bill—the Interior Department appropriation bill—there are right here in Washington 1,181 employees who are getting from $1,620 down. In this department in the field service there are 5,868 Government employees who are getting from $1,620 down. Those figures can not be contradicted, because they come from the Department of the Interior. So this talk about $4,000 and $5,000 men is simply to becloud the issue.

Permit me to give more figures. I am glad of the opportunity to do so. In the entire Government service there are 47,377 employees in Washington and 98,659 in the field, and, in Washington, 38.7 per cent, almost 39 per cent of the 18,251 employees, are getting $1,620 or less. Let the committee contradict those figures if it can. In the field service 39,594, or 40 per cent of the total employed, are getting $1,620 or less.

Now, those are the figures from the gentleman's own department. I want to say to my Republican friends right now, not only is this recommendation of the committee of doubtful legality but it is not ethical.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

Mr. CRAMTON. Mr. Chairman, reserving the right to object, which I regret I shall be obliged to do, this item will not be reached for 100 pages. It may not be reached today. The Members who are here now may not be here to vote——

Mr. LAGUARDIA. I will relieve the embarrassment of the gentleman by withdrawing the request.

The CHAIRMAN. The gentleman from New York withdraws his request for additional time.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Industrial assistance: For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, payable from tribal funds on deposit as follows: Fort Apache, Ariz., $50,000; Fort Lapwai, Idaho, $25,000; Yakima, Wash., $25,000; in all $100,000; and the unexpended balances of the appropriations under this head contained in the Interior Department appropriation act for the fiscal year 1931 are hereby continued available during the fiscal year 1932: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1937, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding 20 years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1932 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I wish to inquire of the chairman of the subcommittee as to the extent to which this appropriation is availed of for the education of the Indian youth in colleges and universities?

I might say in that connection that it was represented to me at home, following the election, that the Menominee Indians have great difficulty in securing higher education for their youth, and they advanced that as an argument for a bill that they are supporting to incorporate the Menominee Indian Reservation.

After the gentleman has answered the first question I would like to have the gentleman give to the House the benefit of his views as to whether we should create private corporations for the government of Indian reservations which are still maintaining their tribal relations and allow them to work out their own destiny.

Mr. CRAMTON. May I answer the more important question first——

Mr. STAFFORD. The more important is the education of the youth.

Mr. CRAMTON. No; because that is embraced within the other.

I am absolutely opposed to any incorporation scheme that has yet been advanced, as every scheme of that kind that I have seen proposed has been so framed that sooner or later, with the passage of time, somebody else other than the Government or the Indians would be running the property of the Indians for them, and if anyone except the Indians themselves are to have charge of Indian property, I think it would better be the United States Government.

Mr. STAFFORD. I thought the gentleman meant under the two or three bills that have been introduced providing for the incorporation of all the affairs of a tribe, the Indians themselves would have the privilege of governing themselves and a determination of their own affairs.

Mr. CRAMTON. There has been no bill drafted for the Menominees. A bill was drafted for the Klamath Indians, and I think there is scarcely anybody now who favors that. That was so framed as to have bad results.

Mr. STAFFORD. I may say that there was submitted by a representative of the Menominee Indians the Klamath bill, substituting the tribe of Menominee for the Klamath Indians.

Mr. CRAMTON. If the gentleman will study that bill, I am sure he would not think it wise.

Mr. STAFFORD. Did the gentleman state it had bad results?

Mr. CRAMTON. Oh, no. I think it would have bad results. I think that the more people study it the more they are against it. I think there are more against it than there are in favor of it.

Mr. STAFFORD. The League of Women Voters of my city, as I have been advised by a friend of mine who attended the meeting—I was not invited; I was very likely overlooked—had a representative or two of the tribe of Menominee before them, in which the orator pressed strong consideration of this incorporation bill, and I am informed that the good women attending that assemblage were rather favorably impressed.

Mr. CRAMTON. Oh, yes; I think they would do it, because it is presented with a glamor that is hardly well

founded, but that kind of a presentation did not reveal the defects of the plan.

Mr. STAFFORD. It was at that meeting that the representation was made by this representative of the Menominee tribe that they can not even give their youth higher education under the present practice of the department.

Mr. CRAMTON. Let us answer that. The Menominees have this undivided fund that belongs to the tribe, amounting, as I understand it, to four or five million dollars, beside large timber interests that are bringing in a constant income. The timber should be so administered that the tribe should have that income for a long time to come. At the suggestion of the gentleman from Wisconsin [Mr. SCHNEIDER] last year in the deficiency bill this language that we now refer to was inserted, or similar language, in the tribal funds provision, so that in the discretion of the Indian Bureau any Menominee boy or girl who is prepared to go to a higher institution of learning for education, industrial or otherwise, can borrow money belonging to the Menominees from the tribal funds, get his education, and then repay that money within eight years after he has established himself and is self-supporting. I believe that is a splendid provision.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. It was the gentleman from Wisconsin [Mr. SCHNEIDER] who called the matter to my attention, and I had this language prepared for the tribal item, and it seemed to me it might very well also appear in this reimbursable industrial assistance item. It is one way of providing for their industrial independence.

Mr. STAFFORD. How generally has this or any other fund been used for higher education, college or university education, of the Indian youth?

Mr. CRAMTON. In my judgment, it can not at an early date wisely be very widespread. In the first place, the number who have the education to qualify them for admission to such institutions is not large, and of them it should be extended only to those that in the judgment of the bureau will make good use of it and repay the money.

Mr. STAFFORD. In recent years it has not been the policy of the Bureau of Indian Affairs to provide so-called college and university education for Indian youth?

Mr. CRAMTON. No; it is only the exceptional case. As I stated in my statement Monday, under this particular provision two are now in such institutions, one of them Ben Reifel, from the Rosebud Reservation, who is majoring in agriculture at the Agricultural College at Brooking, S. Dak., and Emily Phillips, of the Colville Reservation, who is taking a general college course at the Washington State College. The practice will not be large, but I think real progress is made when even those two are found to be availing themselves of this provision.

Mr. STAFFORD. Then there has not been any general demand during the supervision by the gentlemen of Indian affairs appropriations for the higher education of the Indian youth?

Mr. CRAMTON. This is probably the first definite step in that direction; but this, the gentleman will note, is in the nature of a loan, to be repaid within eight years.

Mr. STAFFORD. Similar to the policy that is in vogue in our universities of advancing money to be repaid by students after they get out into the world and are able to repay?

Mr. CRAMTON. And similar in this case to the provision that has obtained for many years of advancing money with which Indian farmers buy seed or tools and repay the money within five years. In this case we provide for industrial independence in a different way, but I think it is wise.

Mr. STAFFORD. I see my colleague from Wisconsin [Mr. SCHNEIDER], who is responsible for the incorporation of this provision, rising, and perhaps he can give us some information, particularly as to whether there is much demand from the youth of the Menominee Reservation to avail themselves of this fund.

Mr. SCHNEIDER. There is such a demand by those Indian boys and girls who are graduates from the high schools. Unfortunately there is but a small number of Indians who have high-school education. Adjacent to the Menominee Reservation there are two high schools, which these young Indians attend. When they get out of the high school many of them want to go to a university. They want to take agriculture or forestry or some other course, and they have not the money themselves, and hence we have provided in the appropriation bill to permit them to use this reimbursable fund.

Mr. STAFFORD. Does the Menominee Tribe look with favor upon advancing this money for this purpose?

Mr. SCHNEIDER. They do; but I call the attention of the gentleman to the fact that there are very few Indian boys or girls anywhere who ever get a high-school education, because of the fact that there is no provision for that higher education, and there are hundreds of Indian children in Wisconsin who are getting no education at all, so far as the Bureau of Indian Affairs is concerned.

Mr. STAFFORD. That is a startling statement made to the membership of this House, that the Indian youth of this country have not had the advantage heretofore of even securing a high-school education.

Mr. CRAMTON. Oh, I think it is not a remarkable thing when we know that very generally the Government is providing the fundamentals and has been gradually building the institutions up so that there are many that run to the tenth grade and several that go to the twelfth grade.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CRAMTON. Mr. Chairman, I will ask for recognition in opposition to the gentleman's pro forma amendment. It is quite easy to make statements here and throw up your hands in holy horror in criticism of the Government, but a little knowledge of the facts takes some of the edge off. In the first place, those Indian children in Wisconsin, if they are in reach of any public high school, ought to be admitted there. In the second place, the policy of the Government is to encourage such attendance where it is possible and feasible. Furthermore, though we are conducting these boarding schools, I do not believe that in Wisconsin either of those schools goes beyond the tenth grade.

Mr. SCHNEIDER. About the eighth grade.

Mr. CRAMTON. Yes. But the fundamentals have been the first thing sought, and the system is developing.

Mr. STAFFORD. Are the high schools at Shawano and other near-by cities open to the Indian youth?

Mr. SCHNEIDER. Surely.

Mr. STAFFORD. That being so, why are not these Indian youth availing themselves of the public high schools?

Mr. SCHNEIDER. Because these Indian youth live several miles away and have no way of getting there.

Mr. STAFFORD. In Wisconsin we are providing bus service for our public-school pupils.

Mr. SCHNEIDER. But I call the gentleman's attention to the fact that those schools are not going to furnish vehicles for the transportation of Indian children who are living on reservations.

Mr. STAFFORD. Why does not the Menominee Tribe provide a vehicle with which to take them there?

Mr. CRAMTON. I will say in my own time, since these gentlemen from Wisconsin are so much interested, that the biggest service which the congressional delegation from Wisconsin could render the Menominee Indians is to urge that there be more of law enforcement in the community adjacent to the reservation. I will not go into details, but I will content myself with that statement. I could supply more details.

Mr. STAFFORD. I think the gentleman owes it to the House to supply them, because no one here is in favor of vile conditions surrounding Indian reservations. I may say to the gentleman that the Menominee Indian Reservation is a couple of hundred miles from the district I represent.

Mr. CRAMTON. That is so; and hence I am not including the gentleman's district; but I will say that I do not know of any situation that has been worse in territory adjacent to an Indian reservation than that adjacent to the Menominee Reservation in Wisconsin.

Mr. BRIGGS. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BRIGGS. I understood the gentleman in his remarks in general debate a day or two ago to indicate that these advancements were open to all deserving and worthy Indian youth approved by the Indian Bureau, without regard to tribal funds. In other words, as I understand, they come out of gratuities.

Mr. CRAMTON. There are two items with reference to industrial assistance, reimbursable. One is from the Treasury of the United States for those Indians who do not have tribal funds, and the other is from tribal funds, where such funds exist.

Mr. BRIGGS. In other words, it is open to both.

Mr. CRAMTON. Yes. But manifestly in its administration the bureau must use discretion in the approval of applications.

Mr. BRIGGS. I understand that.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For reconstruction and repair of the fence along the international boundary line between Mexico and the Papago Indian Reservation, Ariz., $15,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is a novel provision. I did not know we had any fences along the boundary line, either on the Mexican border or the Canadian border. The only border line I have ever gone across was not marked by any character of construction.

Mr. CRAMTON. The gentleman was wise in the selection of a place to cross.

Mr. STAFFORD. The railroads selected my crossing. I did not even travel like the gentleman does, by automobile.

Mr. CRAMTON. On the Mexican border I do not know whether it is all fenced, but there is considerable fencing. I remember an item some time ago for the town of Nogales. The main street of that town is the boundary line, and a little while ago we made an appropriation of money to build that fence in the middle of the main street.

Mr. STAFFORD. What is the character of the fence—is it of steel or wood construction?

Mr. CRAMTON. It is a fence to keep people out and it is effective for that purpose.

Mr. STAFFORD. Not barbed wire?

Mr. CRAMTON. The gentleman from Arizona [Mr. DOUGLAS] could give the details.

Mr. STAFFORD. We do not have any such character of construction trying to keep out the Canadians, I am quite sure, on the Canadian border.

Mr. CRAMTON. I may say as to this item, there was a fence here and it is to be reconstructed. The Indians are interested in it. Their stock is involved, and they are furnishing the labor and we are furnishing the supervision and material.

Mr. STAFFORD. Then the committee is led to believe that there is need for a fence along the Mexican border to keep out the greasers and other undesirables?

Mr. CRAMTON. It is the boundary of the Indian reservation.

Mr. STAFFORD. The gentleman can not say how extensive that international boundary fence is?

Mr. CRAMTON. This has to do with about 15 miles. The whole fence is about 65 miles in length.

Mr. STAFFORD. That is very interesting information.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For all purposes necessary to provide an adequate distributing, pumping, and drainage system for the San Carlos project, authorized by the act of June 7, 1924 (43 Stat. p. 475), and to continue construction of and to maintain and operate works of that project and of the Florence-Casa Grande project; and to maintain, operate, and extend works to deliver water to lands in the Gila River Indian Reservation which may be included in the San Carlos project, including not more than $5,000 for crop and improvement damages and not more than $5,000 for purchases of rights of way, $600,000, reimbursable as required by said act of June 7, 1924, as amended, and subject to the conditions and provisions imposed by said act as amended.

Mr. CRAMTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: On page 30, line 22, after the word "amended," insert a colon and the following:

"*Provided*, That with the exception of $150,000 for the maintenance and operation of the project, no moneys herein appropriated shall be available unless and until a repayment contract, as required by the San Carlos act (act of June 7, 1924, 43 Stat. 475–476), shall have been entered into in which repayment contract there shall be included only sums appropriated after the approval of the San Carlos act, and such of the costs of the Florence-Casa Grande project as may be payable as costs of the San Carlos project, due to effecting by the Secretary of the Interior, in whole or in part, a merger of the two projects as authorized by the act of March 7, 1928 (45 Stat. 200)."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment for the purpose of allowing the gentleman to explain this rather complicated amendment.

Mr. CRAMTON. I thank the gentleman, and I am glad to explain the amendment to the gentleman. I do not admit it is subject to a point of order, but I am pleased to make this statement.

The San Carlos project has to do with about 100,000 acres of land in southern Arizona, approximately 50,000 acres white-owned land and about 50,000 acres of Pima land. The Pima Indians are farmers. They were irrigationists before the whites saw America. They were in desperate condition, and the law authorizing construction of this project passed Congress in 1924, and as a part of that project what is known as the Coolidge Dam has resulted. The construction of the project is pretty nearly complete. There only remains certain canals and laterals.

At the time the act of 1924 was passed, when the gentleman from Arizona, now Senator HAYDEN, was a Member of the House, I was permitted to draft some amendments that very largely rewrote the provisions of that act, and my familiarity with it began naturally then.

This act provided that before the project should serve the white lands the white districts should execute a repayment contract under certain terms, and it will interest the gentleman from Wisconsin to know that in that case the law provided amortization of the cost by these white lands in 40 years, with interest. This is an exception in our irrigation projects, in that these white lands under that contract must agree to repay with interest.

The construction was commenced. Of course the dam, the reservoir, and the main canals serving Indian lands as well as white lands, the construction could not well be deferred just because the whites had not given a contract. So the construction has gone on year by year.

I think in 1928 the department suggested some language that went in the bill that authorized the Secretary of the Interior to consolidate this new San Carlos project with an existing project known as the Florence-Casa Grande. If I am incorrect, the gentleman from Arizona [Mr. DOUGLAS] will correct me.

Mr. STAFFORD. Do I understand that a contract was entered into at that time?

Mr. CRAMTON. No contract as yet. There was the old project, the Florence-Casa Grande, and in 1928, since that was to be entwined with the new one, there was authority that they should consolidate them and provide for repayment accordingly. Last year the committee inquired why there was no contract, and the committee said if there was not a contract pretty soon we would shut down on the money. This year we took up the item and found that there was still no contract with the white lands. We went into it at some length. We found that the fault was not at all with the white district, that the Interior Department had been unable to agree in itself as to the terms of the contract

in question. The legal representative in the field, who has been in touch with these problems for several years, held that the original act, the act of 1928, required one thing and the solicitor of the department made a finding of a different result.

I want to call attention to the statement in the hearing in the form of a letter signed by Senator HAYDEN and the gentleman from Arizona [Mr. DOUGLAS]. The statement they make covers the situation.

The language in controversy in the Interior Department revolves around the question of what charges shall the whites be required to pay. They have got about half of the land, and they have to make about half of the payments.

There is a good deal of history connected with it which I will not state, but will give you the nub of it. There are expenditures of a large amount which have been made in the past that were exclusively for the benefit of these Indian lands. Other works have been constructed that were for the joint benefit of the whites and the Indians. Some of the works constructed by private enterprise were exclusively for the white land.

The proposition on one side was that as to some of these existing charges, aggregating something over a million dollars, originally expended for the benefit of the Indian lands, not of any present value to those lands, and never intended to serve the white lands, should be included in the charges against the white lands.

Now, it was not my theory, and I think I am justified in saying it was not the theory of the committee, that the contract with the whites should include this "dead horse" with reference to Indian lands. The question the Congress has to-day about the "dead horse" is for Congress to decide in reference to this contract. So our committee asked the Indian Bureau to consult with the solicitor and other gentlemen, including Mr. Truesdale, and tell us what they thought ought to be done, regardless of technicalities which might have occurred in the act of 1928.

As a result they recommend two things: First, as to the white contract, that this language should be clarified and make it clear that the white contract is not to include the "dead horse," on the Indian lands. Secondly, they recommend that the Indians be relieved of certain past payments that are not of any present value. This item, we think, is a proper limitation and we are proposing it at this time. The other provision with reference to the adjustment of Indian charges we did not feel was proper to include here, and it is my understanding that the gentleman from Arizona [Mr. DOUGLAS] has introduced a bill to accomplish that part of it, and that bill will go in the regular way to the Indian Affairs Committee, and in due time be considered by the House.

Now, may I be permitted to make a further statement: It does happen that ever since 1924 I have given a great deal of attention to the project, and it did seem to me that this is the proper limitation, and that we were justified in bringing it in, and because of my familiarity with the whole proposition I wanted to see it closed up before I retired from the scene.

Mr. STAFFORD. Mr. Chairman, the amendment seems rather intricate as read from the Clerk's desk. Is the purpose to permit the bureau to enter into some agreement with the owners of the "white lands" so that they may take water from the Coolidge Reservoir?

Mr. CRAMTON. Yes. That was the original purpose of the reservation. It was originally intended that that dam and reservoir should serve about 50,000 white acres and 50,000 Indian acres.

Mr. STAFFORD. So the gentleman stated, and that has not been used for that purpose, because the white users did not enter into the contract?

Mr. CRAMTON. Yes.

Mr. STAFFORD. Has any of the water been used by the white owners of the land?

Mr. DOUGLAS of Arizona. If the gentleman from Michigan will permit, by the use of the irrigation ditches existing prior to the construction of the San Carlos Dam a certain amount of water has been used.

Mr. STAFFORD. They have not received the benefits of any additional water by virtue of the building of the reservoir?

Mr. DOUGLAS of Arizona. I would not like to state definitely yes or no with respect to that question, but it is my understanding that the amount of money that has been used by the white lands along the San Carlos is that amount which has been conducted by ditches or canals in existence prior to the passage of the act of June 7, 1924.

Mr. CRAMTON. There has been no new construction that was solely for the purpose of furnishing water to the white lands. The Indian lands lie well below the white lands, and, of course, in building the dam and the main canal that went by the white lands to the Indian lands, we could not stop the construction without holding up the Indians as well as the whites. I started in the hearings thinking the whites were responsible, and I was prepared to take drastic action against them, but we found that they are not at all responsible. No contract has yet been presented to them. What we propose is construction of language more than anything else. It does just what I believe the existing law requires, but the solicitor from the department does not agree as to that.

Mr. STAFFORD. Do the owners of the white lands avail themselves now of the additional water from the San Carlos project?

Mr. DOUGLAS of Arizona. Not until the repayment contract as provided for in the act of authorization; that is, the San Carlos act of June 7, 1924, shall have been entered into as provided in that act.

Mr. CRAMTON. But as I understand it, if this qualification of language goes through and the snarl in the department is disposed of and a contract like this is presented to the white, they will immediately sign it.

Mr. DOUGLAS of Arizona. Exactly. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. DOUGLAS of Arizona. This language meets with the approval of the department and is what the department wants. Or, as I understand it, this language would permit the department to do exactly what the department wants to.

Mr. STAFFORD. And that the users will avail themselves and enter into an agreement under the 1924 law?

Mr. DOUGLAS of Arizona. Exactly.

Mr. STAFFORD. Mr. Chairman, after the lucid explanation of the gentleman from Michigan [Mr. CRAMTON], I withdraw the reservation of a point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Mont., $18,000; for continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000, together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department appropriation act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $5,000; purchase of reservoir and camp sites, $55,000; for the construction or purchase of a power-distributing system, $50,000; in all, $338,000: *Provided*, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal year 1932 for such construction or purchase of a power-distributing system: *Provided further*, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: *Provided further*, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said acts: *And provided further*, That upon execution by the Jocko and Mission districts of repayment contracts in pursuance to existing law the operation and maintenance charges for those districts for the irrigation season of 1931 shall be covered into construction costs.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read.

Mr. CRAMTON. Mr. Chairman, I desire to offer an amendment to that paragraph. Will the gentleman state the point of order?

Mr. STAFFORD. Mr. Chairman, I reserved the point of order primarily for the purpose of securing information as to whether we have heretofore authorized the construction of any power-distributing system.

Mr. CRAMTON. Yes. This language, with reference to the power-distributing system, is a continuation of the language from the current year. If the gentleman desires, I shall go a little further with my statement, and since it will apply to the amendment I propose to offer I think it well to make it at this time.

Mr. STAFFORD. The gentleman will appreciate my purpose in making reservations of points of order. I recognize the distinct loss that the House suffers in the retirement of the gentleman from Michigan from this Chamber, especially in connection with this bill, which he has had charge of for many years. I think it is valuable to have incorporated into the RECORD by him explanations of some of these projects with which he is so thoroughly conversant and with which he has been intimately identified.

Mr. CRAMTON. I appreciate very much the statement the gentleman makes. I ask unanimous consent to have the amendment read that is on the desk. Possibly the gentleman may want to make a point of order against that also. I think it should be read for information, and then I will make my statement about this project, and that will cover the whole situation.

The CHAIRMAN. Without objection, the Clerk will read the amendment proposed to be offered by the gentleman from Michigan without prejudice to the reservation of a point of order.

There was no objection, and the Clerk read as follows:

Amendment by Mr. CRAMTON: Page 33, in line 11, after the word "acts," insert the following: "*Provided further*, That in any district in this project which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may, in the discretion of the Secretary of the Interior, be required in the calendar year 1935, but in any event the total repayment of such construction charges shall be required in not more than 40 years from the date of public notice heretofore given."

Mr. STAFFORD. I reserve a point of order if this amendment is being reported. Is the amendment being reported or just being read for information?

The CHAIRMAN. It is being read for information only.

Mr. CRAMTON. If I may be pardoned, I will make a statement to meet the gentleman's request.

This is an important item. It is not only one of the most important items in the "irrigation for the Indians" part of the bill, but it is an item to which I have given possibly more time in the last five years than to any other item. I hope, with the adoption of the amendment which I have sent to the desk, that the attention of Congress with reference to this project will have been pretty well completed.

When I was handling this bill several years ago I noted that we were making appropriations for construction. There was a considerable acreage settled, but no repayments were being made and so the committee decided that before they would make any more appropriations for construction they would make a study on the ground. After a year we were able to do that. The members of our subcommittee, the Commissioner of Indian Affairs, a representative of the Budget, and the gentleman from Montana, Mr. EVANS, and the gentleman from Montana, Mr. LEAVITT, were all present and made an intensive study of the problems of the project.

The Government had then invested about $5,000,000 in this project, which, instead of being one project, is a series of projects. As we went to the various projects we found that there was no part of it that really had a sufficient water supply. While $5,000,000 had been spent it had been handled in such way that no settlers were assured of a water supply throughout the season. By reason of that fact they could not resort to the crops that are necessary to make irrigated lands pay.

We found that one part of the project, the Camas division, would be charged for construction costs $50 more than other parts of the project near the railroad. I am speaking only in a general way. The Camas division was only 20 miles farther from the railroad than these lands, but still they were asked to pay $50 more than the more advantageously situated lands. They wanted an adjustment. It was manifest that we would not get the money on that basis.

I have a deep-seated objection to wiping off charges, extensions of time, and so forth. We found there was a tunnel that had been built nearly 20 years before, known as the Newell Tunnel, which cost over $100,000, that was intended to divert some of the ordinary normal stream flow of the Flathead River to a small power plant to be operated in connection with the project. We found there was need for that power on the project by the farmers. There was need of such power in the communities——

Mr. SABATH. Will the gentleman yield?

Mr. CRAMTON. I will yield.

Mr. SABATH. Who was responsible for this inefficiency, this expending of large sums of money and providing these reservations with proper water facilities when the gentleman states that most of those reservations were suffering from lack of water, and the projects were not efficiently operated?

Mr. CRAMTON. Of course, just at present I am speaking of this Flathead irrigation project, which was a series of several projects, as I have stated. I am not familiar enough with the history to place the blame, or even to say that blame is to be attributed to anybody. I am stating the facts as we found them.

Mr. SABATH. I have voted for these irrigation projects for many years; voted for all of them, in the hope that they would relieve and aid and benefit these people, but year after year we receive reports that very little benefit is derived by the people on account of the projects, notwithstanding that we have expended millions and millions of dollars and there is no chance of ever receiving any return on those investments.

Mr. CRAMTON. I will be glad to take this up a little later, but I want to make a connected statement with reference to this particular project, if I may.

Mr. STAFFORD. The gentleman was speaking of a tunnel.

Mr. CRAMTON. Yes. That was for a power plant that would only develop about 7,000 horsepower.

As a result, our committee worked out a program which was accepted by these people by which the construction account of the Camas division was adjusted. I may say that these lands belonging to the Indians had been sold and white settlers had come in under a promise of certain things, and they had been waiting there with great spirit and fortitude for 20 years, when we were on the scene.

Our program proposed that the construction account of the Camas division be adjusted, and they be put on the same basis as other parts of the project. That would mean about $500,000, not to be wiped off but to be put in a suspended account, and other parts of the project agreed to that. They agreed that this small power plant should be built, using the ordinary stream flow of the river; that the power from that plant should be furnished to the settlers and the small towns at some profit, and that profit should be used, first, to pay the cost of construction of the plant, and, second, to retire the suspended account, and later to apply on the construction cost of the whole project. Also, that certain construction should follow. But, we said, "Before we will enter on that construction program, before we will do any of these things, the lands involved, the people there must sign a contract agreeing to make repayment of the costs," which had not been done. There were many complications, and it took two or three years before they were able to get a vote approving such a contract. Finally they got approval and the contract was entered into and certain construction items have gone forward for the last two or three years.

The power plant, however, occasioned a great deal of controversy. It seemed that certain power interests had been

considering the development of power at Flathead Lake, above the point I spoke of, at a lake which was capable, through a reservoir, of providing one of the largest power sites in America.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for an additional five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAMTON. Fortunately or otherwise, they really did not get wise to this proposal to erect a small power plant on the river. I did not meet all the opposition I expected at that time.

This item for the power plant appropriation was approved by the Budget, was approved by the House, and was finally accepted by the Senate. Then the Montana Power Co., or its subsidiary, the Rocky Mountain Power Co., made application for a permit. They first suggested to the Indian Service that instead of the Government building that small plant they be given a permit at Flathead Lake and that if they secured such a permit they would sell power to the project cheaper than the project could make it. Inasmuch as they could develop 100,000 or 200,000 horsepower at Flathead Lake it was, of course, reasonable to believe that they could sell a small amount to the project cheaper than the project could make it. When I was asked about it I stated that if they could actually and would actually do what I thought they could it was immaterial to me. They finally made a definite proposition in writing which was very favorable to the project. They sought a preliminary permit and secured it. Then they later sought a permit to develop this power. Another applicant appeared, Mr. Wheeler, from Minneapolis, an engineer of some standing. There was a good deal of hurrah raised by certain uplifters and professional friends of the Flatheads, with the result that this matter was delayed. During that time we provided each year an alternative authorization, that certain money could be used either toward building the small plant or toward the construction of a distributing system for power which might be purchased.

Throughout all of this consideration our committee never sought to interfere with the authority given by law to the Power Commission as to the granting of a permit at Flathead Lake. We only limited their authority in two respects. First, in an amendment which I drafted—and which was included by the Senate on motion of the Senator from Montana, Mr. WHEELER—it was provided that although the lessors of sites generally had to pay the Power Commission something like 25 per cent of their rentals toward the expenses of administration by the commission, that these Indians should not be charged anything; and, second, we provided that whoever received this permit must take care of this irrigation project with power on the terms agreed upon.

During all the time this application was pending before the commission I never suggested who ought to have such a permit. I did finally state, however—and it is in the RECORD—that if they were to grant a permit—and I urged them to proceed with some diligence—they grant it, because every year of delay was not only causing suffering to these settlers but a loss of $100,000 or $200,000 a year to the Indians in rentals; and, second, that they should grant it to some one who would use the permit to construct the project and not to somebody who would be obliged to go out and try to find some one to buy it. The Senator from Montana, Mr. WALSH, went farther in the Senate and made a direct statement urging that the commission grant such permit to the subsidiary of the Montana Power Co. He urged that very logically on the basis of the conditions existing.

Now, that permit was finally granted and they are proceeding with the construction, so that the situation has just now become definite as to that. We have the contract signed and the Northern Pacific is carrying on effective settlement work there.

Hence the item before you does not carry anything that is new which slants toward a legislative character. Whatever is reported in the bill is a continuation of what we have been doing for several years.

The amendment which I have sent to the desk is to meet the situation. While we have been building some works they still, because of the increasing settlement and increasing development, are suffering from the lack of a full water supply. The bill refers to certain reservoirs which are being constructed, one to be completed in 1932 and another completed in 1933. I hope the second one referred to will be completed by an appropriation made for 1933. In addition, there are certain pumping projects connected with it for a supplemental water supply. They can only come into being when this power situation results in an actual delivery of current. Hence it will be two, three, or four years before this water-supply situation is fully met and fully worked out.

We require in the bill the giving of public notice. We expected this thing to be farther advanced in 1931 than it will be. So in the amendment I have sent to the desk we do this: Public notice was issued which requires for the first payment on construction charges the making of the levy in November, 1931, but the actual payment to the Government will come the 1st of February, 1932, the first payment under this public notice now issued, and the other half the 1st of August, 1932.

It now appears, for the reason I have stated, that the plant will not be far enough developed to make that entirely just. It will not be as far developed as that. Hence, the settlers presented their case. Now, the amendment which I propose does not change the time provided for in the public notice now issued. That will remain as of the 1st of November, 1930. Under the law they must complete their payments within 40 years from the 1st of November, 1930. Under the proposed amendment they must still complete their payments within 40 years from the 1st of November, 1930, but during these first 2, 3, or 4 years they will not be called upon to pay construction charges, but in the next 35 or 36 years the charges will be made a little stiffer, so as to absorb the charges which are now being deferred until the plant is completed.

Mr. STAFFORD. When will the settlers have the advantage of any of the water that is being conserved at this irrigation project?

Mr. CRAMTON. I do not know whether it is clear or not, but understand the dam that will be built for power purposes at Flathead Lake does not, so far as water supply is concerned, enter into the Flathead project at all. The Flathead irrigation project will have its other reservoirs and its other source. However, for a supplemental water supply through power they buy from this power development, they will pump some of their land where gravity flow is not possible.

Mr. STAFFORD. Here we are deferring the payment of these charges for four years. It is not the first instance where we have deferred payment of charges on reclamation projects. It seems to be the policy of the Government to always postpone and postpone the payment of charges and never have the Government receive the full payment. I realize that the amendment as drafted does not provide for that condition other than excusing them from immediate payment in the first few years.

Mr. CRAMTON. They have been there about 20 years or maybe 25 years. Some of these settlers have been there that long.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for five additional minutes.

Mr. CRAMTON. When we fixed the public notice for the 1st of November, 1930, we supposed that the project would have reached a certain point. It develops now that the

project has not reached that point, but, nevertheless, the law requires the public notice, and it has been issued.

Mr. STAFFORD. How far advanced did the gentleman think the work would be completed, as based upon giving notice in 1930?

Mr. CRAMTON. The notice has now been given.

Mr. STAFFORD. Yes; but how far did the gentleman think the project would be completed at the time that was determined upon?

Mr. CRAMTON. Oh, we expected that the land under cultivation would have a sufficient water supply to take care of the acres through the season. The gentleman will understand the importance of that. The crops that pay the smaller return, like wheat, mature fairly early in the season, so that if the water supply disappears in July it does not hurt them; but sugar beets is a very important crop on this project, as well as on others, and require the water throughout a longer season, and if we do not provide them enough water to run them through the season, we make it impossible for them to derive their largest income from their acres.

Mr. STAFFORD. Here we are deferring the payment for four years. Why should it be four years? Are we not establishing a dangerous precedent?

Mr. CRAMTON. No.

Mr. STAFFORD. Why can not all the water users come before the Congress and say, "You have granted these people the right to defer their payment until 1935; why should we not be treated accordingly?"

Mr. CRAMTON. Because, in the first place, it is very rarely that this situation would ever occur. Generally, the public notice is not posted until after the construction is completed, and we might under that practice have deferred this for 5 or 10 years and still be in harmony with many other projects.

Mr. STAFFORD. This project is going to be completed within the next year?

Mr. CRAMTON. Oh, no.

Mr. STAFFORD. The year following?

Mr. CRAMTON. All the construction will not be completed probably for four or five years, or maybe more.

Mr. STAFFORD. I mean completed in the sense that the water users will have the advantage of the use of the water.

Mr. CRAMTON. I did not feel it safe to advance the date much before that date named in the amendment. I was hopeful that by 1933 or 1934, yes, but there have been such delays I did not feel it safe. I did desire, I am frank to say to the gentleman, before I pass off the stage to see the history of this thing completed.

Mr. STAFFORD. Does the gentleman know of any other instance where we have deferred so far in the future the payment of charges for the use of water?

Mr. CRAMTON. I think we can approach it from the other angle, that in many cases the general policy has been not to issue the public notice, and you understand there is no collection of construction charges until the public notice is issued, even though they may be getting the water, and I know of cases where public notice has been deferred and they have not given it for 10 years after the works were completed. Generally the public notice was not given until after the construction work was completed. In this case, because we wanted to get this project definitely committed before we went ahead with other construction, we took a chance on what we thought would be a fair date. Now, it happens, with all the delays, the work has not progressed as rapidly as we thought it would, so that fact takes this out of the ordinary case; but, notwithstanding that, so firmly am I opposed to more than 40 years being given for the repayment of charges, I have insisted that there should not be a postponement of this for five years, but that it should in no case extend the final time for repayment more than the 40 years they now have.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Michigan may be extended five more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. The gentleman is quite sure this will not be cited as a precedent to plague us as to other projects?

Mr. CRAMTON. It should always be kept in mind that this is based upon the facts of the case, which are that the construction work is not far enough advanced to have really, in fairness, justified the public notice this last November, and that statement of fact takes it out of the general appeal for extensions.

Mr. STAFFORD. I do not want any policy adopted here that is going to come back and plague us hereafter.

Mr. CRAMTON. That is what I am trying to avoid.

Mr. TAYLOR of Colorado. I want to say that it is absolutely impossible to use any yardstick or any rule or regulation for these 28 reclamation projects. Every one is absolutely different from every other. Some are practically bankrupt and some are almost in the throes of dissolution. If the Government is going to salvage anything out of the vast sums that have been invested in them, it must be put on such a basis that will encourage new people to come in and settle on them. We have to investigate the actual conditions of each project on the ground. The gentleman from Michigan and Mr. FRENCH and I spent a great deal of time and earnest work in trying to learn the conditions of each, and tried to make the best arrangements we could so that the people can work it out and get Uncle Sam's money back some time. If the Federal Government can gets its money back in 75 years, it is better than never getting it back.

Mr. STAFFORD. Sometimes it is a good thing to take the loss once and for all. Money has been put into reclamation projects under Director Newell that never should have been invested.

Mr. CRAMTON. This is going to be a successful project; with the completion of the work it will succeed. The salvage of the $5,000,000 we have got in it will be promoted through this change.

Mr. STAFFORD. Mr. Chairman, I have every confidence, and so has the House, in the judgment of the gentleman from Michigan that this is the best proposition. I am impressed, also, by the statement of the gentleman from Colorado [Mr. TAYLOR]. Some of these projects should never have been started. I remember that in my first term in Congress the late distinguished leader, Mr. James R. Mann, requested me to attend a conference with Director Newell. Newell had been running wild with Government money and was bankrupting the reclamation fund. From that time I have seen many projects wet-nursed that never should have been started. However, I will not set up my judgment against the expert opinion of the gentleman from Michigan, and I withdraw the reservation of the point of order to the paragraph.

Mr. CRAMTON. Mr. Chairman, I now offer the amendment.

The Clerk read as follows:

Page 33, line 11, after the word "acts" insert the following:
"*Provided further*, That in any district in this project which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may, in the discretion of the Secretary of the Interior, be required in the calendar year 1935, but in any event the total repayment of such contract charges shall be required in not more than 40 years from the date of public notice heretofore given."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Lake Andes, S. Dak., spillway and drainage ditch: The unexpended balance of $48,612.76 of the appropriation for the construction of a spillway and drainage ditch to lower the level of

Lake Andes, S. Dak., contained in the act of September 22, 1922 (42 Stat. 1051), and covered into the surplus fund by the act of March 7, 1928 (45 Stat. 215), which was reappropriated for the same purposes during the fiscal year 1930 in the act of March 4, 1929 (45 Stat. 1641), is hereby continued available for the same purposes during the fiscal year 1932: *Provided*, That no part of this appropriation shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of South Dakota satisfactory guaranties of the payment by said State of one-half of the cost of the construction of the said spillway and drainage ditch.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This provision has been carried in this exact language for some years. Is this the project where the Government in 1922 provided for lowering a lake level of some shallow lake in South Dakota? I see it is Lake Andes. Is it really as pretentious as the name would signify?

Mr. CRAMTON. The appropriation was made in 1922. In the meantime that appropriation had gone back into the Treasury and was not available, and so they came in and an appropriation was made, but it is limited to the expenditure of half the cost of the construction. The other half has to be obtained, the gentleman will note, from the proper authorities of the State of South Dakota. It is my thought that the original legislation in 1922 provided for expenditure entirely from the Federal Treasury.

Mr. STAFFORD. Has the State of South Dakota manifested any disposition to avail itself of this gratuitous service of the National Government.

Mr. CRAMTON. Yes. It was at their suggestion that this matter was reappropriated, and Mr. Clotts, representing the Indian Bureau, stated to us that the form of the proposed contract between the United States and the officials of the State Game and Fish Commission of South Dakota has been prepared and submitted to State officials for signature and that as soon as the contract is executed construction work will be undertaken and prosecuted as rapidly as conditions will permit.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

EDUCATION

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,518,000: *Provided*, That not to exceed $10,000 of this appropriation may be used for the support and education of deaf and dumb or blind or mentally deficient Indian children: *Provided further*, That $4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: *Provided further*, That not more than $475,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools under such rules and regulations as the Secretary of the Interior may prescribe, but formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (U. S. C., title 41, sec. 16), for payment of tuition of Indian children in public schools or of Indian children in schools for the deaf and dumb, blind, or mentally deficient: *Provided further*, That not less than $6,500 of the amount herein appropriated shall be available only for purchase of library books: *And provided further*, That not to exceed $10,000 of the amount herein appropriated shall be available for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Mont.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of inquiring how general is the policy of the Bureau of Indian Affairs in providing special education as is provided in the last proviso of the paragraph for educating Indian youth in stock raising at the United States Range Livestock Experiment Station at Miles City, Mont.

Mr. CRAMTON. The desire of the Indian Office and our committee now is to make the Indian education as practical as possible to meet the problems that he will encounter in life. The gentleman from Montana [Mr. LEAVITT] two or three years ago made the suggestion that Indian boys properly qualified be permitted to attend the United States Range Livestock Experiment Station of Miles City, and that has been carried. It is stated now that there are boys there from Montana and other near-by States. It is experimental as yet. It has been going only two or three years. It is stated in the hearings that some of those that went in at first, even after careful selection, were found not to be qualified for that type of work, and the pupils sent there from a State are selected for their interest in stock raising.

Mr. STAFFORD. This is not a reimbursable fund?

Mr. CRAMTON. No. This is really maintaining him at a school, but we put up the quarters there and we let them live there. I would be glad to have the gentleman from Montana [Mr. LEAVITT] explain that.

Mr. STAFFORD. Before the gentleman from Montana does that let me inquire of the gentleman as to whether it would not be advisable to have a general provision to permit Indian youth to attend our State universities and get technical education in agriculture. I do not know whether the State of Michigan at the university at Ann Arbor gives a special course during the winter months that farmers generally avail themselves of, but that is the case in the State of Wisconsin at our university. If this has been a success in Montana, so far as allowing Indian youth to avail themselves of training at the range livestock experiment station, why not let it be general throughout the country?

Mr. CRAMTON. The gentleman will understand that we have erected quarters for the personnel, and it is practically as if they were going to our school, except that the staff of teachers is not paid out of this fund.

Mr. STAFFORD. I will be glad to yield now to the gentleman from Montana [Mr. LEAVITT], who is the author of this provision.

Mr. LEAVITT. Mr. Chairman, this range livestock experiment area was formerly an old military post and is located near Miles City, Mont. When the question arose as to what would be done at the time of the abandonment of the military post by the Army it occurred to some of us that the best use that could be made of this, since it was characteristic of much of the West, would be to make it a range livestock experiment station. That having been accomplished, it occurred to me, through the suggestion—and at this time I want to make it a part of the RECORD—of an Indian named Eugene Fisher, who is a Northern Cheyenne, located on the Tongue River Indian Reservation, that here was an opportunity to give to the Indian youth of that section of the West the opportunity of taking part in the experiments that were being carried on in raising cattle and sheep and other kinds of livestock in a territory that is practically the same as that of most of the Indian reservations of that section.

Mr. STAFFORD. Will the gentleman acquaint the House as to how successful that experiment has been?

Mr. LEAVITT. It has only recently been under way. There are a number of buildings there that were used by the Army as part of the old military post.

Mr. STAFFORD. How generally have the Indian youth availed themselves of the advantages?

Mr. LEAVITT. Many members of the tribal councils have spoken to me of their desire that this be expanded as rapidly as possible to bring the Indians in in greater number. We hope that it will become one of the large Indian educational institutions, and that it will ultimately do what the gentleman is proposing—that is, become a great center of Indian education of their young men in the doing of the things that will make them self-supporting on their own reservations.

Mr. STAFFORD. How many have availed themselves of this institution?

Mr. LEAVITT. They have been selected by the Indian Service from such places as Haskell and other places where boys have been developed to the point of understanding these experiments.

It is now a matter of only a dozen students, but we hope to build it into an institution that will take several hundred.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $105,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, to inquire why this appropriation has almost been

doubled. It has been increased more than one-third over the appropriation of last year. What is the occasion for such increase? The item carried $64,000 last year, and this year it is increased to $105,000.

Mr. CRAMTON. That is for subsistence of pupils. That has to do with subsistence of pupils who remain at the boarding schools through the summer vacation. The allowance for boarding schools is on a per capita basis on the theory of school from September to June. Of course, any pupils who remain through the summer entail an additional burden. Not much attention has been paid to that. At some schools where there were only a dozen or so pupils it did not matter much, but in others, where conditions were a little different, they have had quite a number of pupils, and not much attention was paid until last year.

Last year in the deficiency bill there was a large additional amount, in addition to the annual appropriation, and the real increase is not this year, but it was last year, because, upon a study of the situation, it was found they really needed more money on account of the circumstances under which the children stayed at the school during the summer. We prefer that they should not. We prefer that they keep in touch with their people. But where a child is an orphan and there are no decent homes to go to in some cases it seems desirable to keep them at the school.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Chilocco, Okla.: For 900 pupils, including not to exceed $2,000 for printing and issuing school paper, $305,000; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for boys' dormitory, including equipment, $90,000; for quarters for employees, $10,000; in all, $427,000: *Provided*, That the unexpended balance of the appropriation of $80,000 for girls' dormitory, including equipment, fiscal year 1931, is hereby continued available until June 30, 1932.

Mr. BLACK. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed out of order for three minutes.

Mr. CRAMTON. Reserving the right to object, I trust the gentleman is not going to speak on a controversial subject, not related to this bill.

Mr. BLACK. No. I just want to pay the respects of Congress to the President.

Mr. CRAMTON. If the gentleman is going to speak on a controversial subject that would arouse debate and some delay to the passage of this important bill, I should be compelled to object.

Mr. BLACK. I think the entire House will be with me on this.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for three minutes out of order. Is there objection?

There was no objection.

Mr. BLACK. The White House is getting superheated. When a gentle soul tries to be a Napoleon he looks ridiculous. In the campaign the President tried to discipline the New York World on the oil exposures, and he went [illegible] board. Now, in his disagreement with the Congre[illegible] essays a little demagoguery about human misery.

The present depression is the economic crime of the century, Hoover is chargeable with it. The Federal Reserve Board, acting under him, brought about the deflation that caused the depression. The conspirators thought the economic scale should drop, believing they could artificially elevate in time for the next national election. But the misery they caused is beyond their power to substantially alleviate. The administration can not make restitution. For years the Republican Party has been artificially toying with our economic system for campaign purposes. They have played politics with human welfare. The White House pulled the plug that caused the running out of prosperity. The Congress is trying to bring about substantial help to the people, even surrendering power to bureaucrats to bring quick aid.

Hoover is not going to help by getting mad. Let him keep his head and by cooperation with Congress, he may keep himself from being entirely suffocated in the quicksands of the panic.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Wheelock Academy, Oklahoma: For 120 pupils, $42,900; for pay of superintendent, drayage, and general repairs and improvements, $7,000; in all, $49,900.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word.

The last appropriation bill carried an appropriation of $35,000 for the Mekusuky Indian School in the Seminole mission. After that amount had been carried the Commissioner of Indian Affairs, upon the recommendation of one of his officials, who claimed to have made a survey, closed the school some time in August of this year. It was probably justified to some extent on the ground that the building was in bad repair, but it has been in that condition for a number of years.

The Seminole Indians are divided into bands now, and they have never been able to agree upon any one thing except this one proposition. They all agree that they want this school reopened. They are willing for the money to be appropriated out of their funds to reopen the school and to repair this school.

I think it is the duty of the Commissioner of Indian Affairs to make a survey to see what will be the probable cost of the repair of the building to put it in shape where these full-blood children may go to school. I would suggest that it be confined, first, to the orphan and the fatherless children of the Seminole Tribe, with the provision that those who are well to do and desire their children to go to that school can contribute in the way of some tuition for their children to go there.

This is an old school, and many of the present Seminoles have gone to that school. To close that school down—you may get some idea of the effect on these Indians if the announcement were made that you were going to close down Harvard University or the University of Chicago or any of the great universities in this country, because the men who went to that school would rise up immediately. That is what took place in the Seminole Nation. These people who went to school are now the band chiefs and band leaders.

While the full-blood child will always do better if you can get him to stay in a white school and go along side by side of his white neighbor, he is timid, and, in the first place, as my colleague said the other day, they are poor. They do not have the money to properly clothe them, or to clothe them in the manner in which they think they should be clothed. They do not have the money to furnish the kind of food to their children to carry for lunches.

He is timid, and if he goes to a white school and some little remark is made about his clothes or his appearance it hurts his feelings, and he goes home and his parents will not try to force him to go back, because they are very gentle with their children. They raise their children evidently without any physical force. I never heard of an Indian whipping his child. They raise them under a very good process of their own, and if they were not beset by many of the evils of our race they would be pretty well raised.

Mr. STAFFORD. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. STAFFORD. In listening to the remarks of the gentleman's colleague the other day I gained the impression that the Indian youth did not do as well in the public schools as he would in the schools given over exclusively to their own use. Now the gentleman is making a different statement.

Mr. McKEOWN. I will state to the gentleman that the child trains all right where you can get him to go to a white school, but, as my colleague said the other day, it is hard to get the full-blood child to go to the white school. Our mixed-blood children make great progress in the white schools, but the little full-blood child is reticent; he is timid, and if he is brought into school and there is some remark made about his clothing or something like that he goes home

and he will not come back, and his father and mother will not make him come back.

Mr. STAFFORD. The service does not provide any truancy officers to compel them to attend school?

Mr. McKEOWN. In some places the State has them, and I think the department furnishes some, too. But here is the difficulty, I will say to the gentleman, who I know is very familiar with the Indians, that these full-blood children are very reticent and, as I have said, any remarks about them will cause them to refuse further attendance in the schools. They need a nurse also to instruct them in their own language. Also some help during the time required by the survey.

Mr. STAFFORD. We have few full-blood Indians in Wisconsin.

Mr. McKEOWN. Very many of our Indians are full-blood Indians.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Tomah, Wis.: For 350 pupils, $116,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for shop building, including equipment, $18,000; in all, $152,500.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. I would like to ask unanimous consent at this time to return to page 44, with reference to the appropriation for the Genoa Indian School.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to return to line 13 on page 44. Is there objection?

Mr. CRAMTON. Mr. Chairman, reserving the right to object—and I greatly regret that I will be obliged to object—we have passed that item by 5 or 6 pages; and if I do not object to this request, I can not very well object to similar requests, and that would make the handling of an appropriation bill a very complicated thing. I am therefore obliged to object.

Mr. HOWARD. Mr. Chairman, there are not many of us here, just a few of us, and I just want to make a little statement to the committee regarding the appropriation for the Genoa Indian School.

Mr. CRAMTON. I shall not object to the statement at all.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes out of order. Is that the purpose of the gentleman?

Mr. HOWARD. That is right.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, I want to call your attention to a sad situation in connection with this school. I think it is managed by perhaps one of the best superintendents of such schools that we have in our country—Mr. Sam Davis.

I want to ask you to visualize a scene which I witnessed out there the other day in that school, when I counted 542 children crowded into the only assembly room they have there, the largest one, and 226 of them were unable to find seats and were compelled to stand.

I call your attention to the fact that our bill provides sustenance for only 500 children, but there were 542 there the other day when I was present.

I am going to make my word good, and I am not going to offer an amendment to this section of the bill—my statement regarding the conditions at the Genoa school, but if it is true, possibly it may be true as to a number of others. I do not know. I only speak that which I do know of my own personal knowledge.

I would like to ask the committee itself to provide a little larger appropriation for the care of those children in that particular school. I think a matter of less than $20,000 would probably take care of the children who can not be properly taken care of under the appropriation proposed in this bill. I am going to ask the committee in its mercy and its discretion and its good judgment if it will not be kind enough to propose an amendment on its own account to cover the deficiency in the amount allowed the Genoa school, not intended at all, but just overlooked by the committee.

The pro forma amendment was withdrawn.

Mr. COLTON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen of the committee, I am deeply interested in these movements for the education of the Indian, and I rise to call attention to a plan which I think has great possibilities in it. In San Juan County, in the southern part of Utah, an experiment has recently been undertaken. The Indian Department has purchased a fine home in the town of Blanding. That home has been converted into a dormitory and children are brought there and housed during the school year. They then attend school with the white children—I mean the school maintained by the county and the State. These are children in the grades, and in my judgment it is a movement in the right direction, so far as the Indians are concerned, because if you can get children under this influence, to mingle with and become a part of the school life of the community, I think you are taking a long step toward civilizing these Indian children.

In that part of the State we are watching the experiment with a great deal of interest. So far as I am advised no attempt has been made to do this thing in any other part of the country. I believe this is the only experiment of its kind. These Indian children seem to be happy and are mingling and participating in school activities with the other children and at the close of the day return to their dormitory home under the supervision of an officer of the Indian Department.

Mr. STAFFORD. Will the gentleman yield?

Mr. COLTON. Yes.

Mr. STAFFORD. Do I understand that these Indian youths remain there during the entire week or entire school season?

Mr. COLTON. They remain there practically during the entire school session. Their parents are permitted, of course, to visit them.

Mr. STAFFORD. What parental supervision have they while they are living in the dormitory?

Mr. COLTON. I understand they just have the supervision of a matron and perhaps a man provided by the department.

Mr. TAYLOR of Colorado. I will state to the gentleman from Wisconsin that in Colorado we have an Indian school, and there are several others where they keep the children the whole year around. Of course, if they want to go home or if their parents desire to visit them that is permissible. But they can be much better cared for in the schools than in their homes.

Mr. STAFFORD. In the case cited by the gentleman from Colorado they are not attending a public school but an Indian school.

Mr. TAYLOR of Colorado. An Indian school; yes.

Mr. STAFFORD. But the gentleman from Utah is citing a case where these Indian children are mingling with public-school children in a desire to have a melting pot, so that they will discard tribal manners and adopt the ways of the American youth.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of the U. S. S. *Boxer;* and all other necessary miscellaneous expenses which are not included under the above special heads, including $350,000 for salaries in the District of Columbia and elsewhere, $24,000 for traveling expenses, $170,000 for equipment, supplies, fuel, and light, $25,000 for repairs of buildings, $146,000 for purchase or erection of buildings, $76,000 for freight, including operation of U. S. S. *Boxer,* $4,500 for equipment and repairs to U. S. S. *Boxer,* $1,500 for rentals, and $2,000 for telephone and telegraph; total, $799,000, to be immediately available:

Provided, That not to exceed 10 per cent of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: *Provided further*, That of said sum not exceeding $10,000 may be expended for personal services in the District of Columbia: *Provided further*, That all expenditures of money appropriated herein for school purposes in Alaska for schools other than those for the education of white children under the jurisdiction of the governor thereof shall be under the supervision and direction of the Commissioner of Indian Affairs and in conformity with such conditions, rules, and regulations as to conduct and methods of instruction and expenditures of money as may from time to time be recommended by him and approved by the Secretary of the Interior.

Mr. SUTHERLAND. Mr. Chairman, I desire to raise a point of order on this paragraph, but I will first ask the Chair, if permissible, to rule on my right to raise such a point of order by reason of my status as a Delegate in the Congress. The floor privileges of a Delegate seem to be governed largely by precedent, and in this case I would ask for a ruling. I have endeavored to get Members to challenge my right, but none seems disposed to do so.

The CHAIRMAN (Mr. CHINDBLOM). The Delegate from Alaska rises for the purpose of making a point of order to a portion of the paragraph just read and directs to the Chair an inquiry as to his right to make a point of order and requests the occupant of the Chair to rule upon that issue.

The Chair has previously been advised of the purpose of the Delegate from Alaska and appreciates very much his procedure and conduct in the matter.

There has so far been no direct ruling upon this exact question, but the present occupant of the Chair has studied the law and the precedents quite thoroughly and is quite willing to answer the inquiry of the Delegate from Alaska.

There are at the present time only two Territories, the Territory of Alaska and the Territory of Hawaii. There are two separate organic laws for the establishment of these Territories, and in some respects they are different.

In the case of the Territory of Alaska the Code of Laws, on page 1569, contains a provision, paragraph 131, that—

The people of the Territory of Alaska shall be represented by a Delegate in the House of Representatives of the United States chosen by the people thereof—

And so on; but nowhere has the present occupant of the chair found anything in this organic act defining the powers and privileges of the Delegate after he has become a Delegate and has presented himself in the House of Representatives.

In the case of the Territory of Hawaii, however, there is an express provision, to be found on page 1607 of the Code of Laws, and reading as follows:

Every such Delegate shall have a seat in the House of Representatives with the right of debate, but not of voting.

The Chair, however, has found an ancient statute which apparently has never been repealed and which is quoted in many of the decisions of Chairmen of the Committee of the Whole, as well as by Speakers, which statute, the Chair will say, does not seem to be incorporated as yet in the code or any of the supplements to the code, but which may be found in the Revised Statutes of the United States, second edition, 1878, section 1862, reading as follows:

Every Territory shall have the right to send a Delegate to the House of Representatives of the United States to serve during each Congress who shall be elected by the voters in the Territories qualified to elect members of the legislative assembly thereof. The person having the greatest number of votes shall be declared by the governor duly elected and a certificate shall be given accordingly. Every such Delegate shall have a seat in the House of Representatives, with the right of debating but not of voting.

It will be noticed that this language was followed in the organic act for the election of a Delegate from the Territory of Hawaii. This act was passed and became effective on the 3d of March, 1817. The Chair believes it applicable to the Delegate from the Territory of Alaska.

In the House Manual, on page 316, will be found a rule of the House, Rule XII, section 1, to the effect that the House shall elect from among the Delegates one additional member on each of certain committees, and that these Delegates shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

In the precedents cited in the manual, on page 316 of the current edition, 1929, will be found references to some of the decisions, and the Chair shall read a portion of the text in the manual:

The law provides that on the floor of the House a Delegate may debate and he may in debate call a Member to order [citing the precedent]. He may make any motion which a Member may make except the motion to reconsider. A Delegate has even moved an impeachment. He may be appointed a teller, but the law forbids him to vote, and he may not object to the consideration of a bill.

The Chair will state with reference to the last precedent, which is found in volume 2 of Hinds' Precedents, sections 1923 and 1924, the present occupant of the chair is inclined to think that that decision is out of line with the other decisions with reference to the rights and privileges of Delegates.

Mr. SUTHERLAND. Mr. Chairman, if I may interrupt, the Chairman is speaking now——

The CHAIRMAN. Of the right to object to the consideration of a bill. That is the only precedent which would militate against the right of a Delegate to raise a point of order, so far as the present occupant of the chair has been able to find; but the present occupant of the chair believes that that decision is out of line with all the other decisions relative to the powers and privileges of Delegates.

Mr. CRAMTON. Will the Chair permit an interruption to ask a question?

The CHAIRMAN. Yes.

Mr. CRAMTON. Has the Chair given attention to the particular phraseology of the rule under which any Member may object? Is it possible that the rule that gives a Member the right to object to the consideration of a bill is so phrased as to have led to that decision?

The CHAIRMAN. This particular question as to the right of a Delegate to object to the consideration of a bill is quoted in Hinds' Precedents, second volume, page 863, paragraph 1293. A bill was pending before the House on June 6, 1866, making appropriations to negotiate certain treaties with certain Indian tribes.

Mr. Walter A. Burleigh, Delegate from the Territory of Dakota, insisted that the bill, making an appropriation, must have its first consideration in the Committee of the Whole House on the state of the Union.

The Speaker said:

The Chair is of the opinion that a Delegate is not entitled to make such an objection as will prevent the joint resolution from being now considered. * * * The gentleman is sent here as a Delegate to discuss the merits of all questions in regard to the Territory of Dakota or elsewhere, but he is not entitled to a vote.

It seems to the present occupant of the chair that the conclusion of the argument does not follow from the premise. It will be found in numerous cases that the right of a Delegate not only to present his views upon pending legislation but to participate in parliamentary procedure as well has been recognized, and it seems to the present occupant of the chair that if a Delegate representing a Territory is to have a seat in the House for the purpose of representing his constituency, for the purpose of assisting in the passing of legislation which may be beneficial to his constituency, except by voting, and, of course, conversely to assist in preventing the passage of legislation which he may deem harmful to his constituency, then the right to debate and have a seat on the floor of the House should also include the right for him to take part in the parliamentary procedure except only the single right to vote.

Upon the general principles that the prohibition of one particular right permits other rights and the inclusion of one matter excludes all others, it seems to the Chair that there is no good reason for holding that the Delegate may not make a point of order, when as a matter of fact he may participate in all other parliamentary procedure; and certainly, if the Delegate is here for the purpose of promoting

the interests of his constituents either by securing legislation or preventing legislation from being passed, it seems to the present occupant of the chair that he should have the right to insist that the House follow its own rules. That is what is meant by the interposition of a point of order. The point of order is interposed to call attention to a rule of the House that is being violated by the House itself, at least, whenever the rule involved relates to the passage of legislation.

The Chair, therefore, with all deference, is of the opinion that the Delegate from Alaska is entitled to raise the point of order.

The Chair would like to add that on page 862 in Hinds' Precedents, section 1291, it will be found that a Delegate was permitted to make a motion to suspend the rules and he was permitted to move to discharge a standing committee from further consideration of a bill. He was permitted to make that motion, and when the motion was put he moved the previous question. A point of order was made against the right of the Delegate to move the previous question, and that specific point of order was overruled and the Delegate was permitted to move the previous question.

If a Delegate can move to suspend the rules and pass legislation, notwithstanding the rules of the House, and if he can move the previous question so as to put an end to debate and to the offering of amendments, it seems to the Chair there can be no reason for denying him the right to make a point of order which compels the House to follow its own rules.

Mr. BANKHEAD. Mr. Chairman, may I make an inquiry? Do I understand, under the construction that the Chair has placed on this question, that the Delegate has restricted parliamentary rights? In other words, the construction placed upon it by the Chair does not limit his right to make a point of order to matters only affecting his Territory?

The CHAIRMAN. No; not at all. There has been a specific holding that he may not move to reconsider a vote, and that seems logical inasmuch as he can not vote, and therefore should not be permitted to make a motion to reconsider a vote. Aside from that, there is only this one precedent to which the Chair has called attention, which would militate against the position of the present occupant of the chair, and that decision the Chair believes to be out of line with the general trend of opinion as to the rights of a Delegate from a Territory.

Mr. CRAMTON. Is it the thought of the Chair that the parliamentary activities of the Delegates are to be limited to matters directly affecting their Territories?

The CHAIRMAN. The Chair thinks not.

Mr. BANKHEAD. That was the inquiry I made.

The CHAIRMAN. The Chair thinks that the Delegate is here for all purposes of legislation, and the Chair did not intend to limit him as to his rights as to the particular Territory he represents. The truth is he comes as a Delegate to represent his Territory, but in order to discharge his full duties to his constituency, it seems to the Chair that he must have these complete privileges.

Mr. TAYLOR of Colorado. Will the Chair permit me to make this observation: I recently had occasion to look up the activities of the Delegates who represented the State of Colorado during the 15 years when my State was a Territory, from February 28, 1861, to August 1, 1876. At that time there were seven or eight Territorial Delegates in the House of Representatives from what are now Western States. I learned from my reading from the CONGRESSIONAL RECORD of the part they took in general legislation that they were not limited to matters affecting the Territory only which they represented, but took part in a great many matters of general legislation and were very active in debate and every way, excepting in voting.

Mr. SUTHERLAND. Mr. Chairman, before I make my point of order, I ask unanimous consent to proceed for two minutes, reserving the point of order.

The CHAIRMAN. The Delegate from Alaska asks unanimous consent to proceed for two minutes, reserving the point of order. Is there objection?

There was no objection.

Mr. SUTHERLAND. Mr. Chairman, I wish to say to the gentleman from Colorado [Mr. TAYLOR] that the first Delegate in Congress, Benjamin Harrison, played a great part in the debates on the floor of the House, and the Colorado Delegate and the Delegates from all the Territories during later years played a very prominent part in the debates on the floor of the House.

I want to speak particularly of this rule which denies a Delegate the right to object to the consideration of a bill. That rule has placed me many times in the 10 years that I have been here in embarrassing situations. I can not object to the consideration of the bill. I may request a Member to do so. I have never yet failed to secure Members who were perfectly willing to object to the consideration of a bill, yet they always took the chance of incurring the displeasure of the author of the bill or of the chairman of the committee who wanted the bill considered. That rule has always seemed to me to be unfair to the Delegate. I believe he ought to have the right to object to the consideration of a bill that directly affects his constituency.

Mr. STAFFORD. Mr. Chairman, will the Delegate yield?

Mr. SUTHERLAND. Yes.

Mr. STAFFORD. Has there ever been any ruling by the Chair that limits the right of a Delegate so that he can not object to the consideration of a bill on the Unanimous Consent Calendar?

Mr. SUTHERLAND. It is carried right in the rules, in the decision the Chairman quoted.

Mr. STAFFORD. That does not so provide, if I read the rule correctly—Rule XII, paragraph 1—that the Delegate may not object to the consideration of the bill. The rule says, referring to the Delegates:

> And they shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

Mr. SUTHERLAND. That is understood. We do not ask for that right. But it goes further, and the Delegate may not object to the consideration of a bill.

Mr. STAFFORD. I can not find any express declaration in the rules that a Delegate may not object to the consideration of a bill, and I know of no such rule. As I understood the decision of the Chair, with which I heartily concur, he merely gave a most liberal interpretation so as to allow the Delegate all the privileges of a Member, only forbidding him the right to make a motion to reconsider the right to vote. The motion to reconsider is a well-defined motion in this House, which must be entered within two days after the consideration of the bill. The logic of the ruling of the Chair clearly expressed it. The Delegate is not granted that privilege, because he has not the right to vote. Ergo, he should not be allowed to move to reconsider. I will be favored if any gentleman can point out any specific rule where a Delegate is restricted from objecting to the consideration of a bill.

Mr. SUTHERLAND. I do not feel qualified to debate that question with the gentleman from Wisconsin.

The CHAIRMAN. In the particular case to which the Chair has referred the objection was not made on a Consent Calendar day. There was no Consent Calendar at that time. The objection was to the consideration of a bill upon the ground that it should be considered in the Committee of the Whole House on the state of the Union, and not in the House. So, therefore, it was in fact a point of order.

Mr. SUTHERLAND. Mr. Chairman, the point of order which I desire to make and which I do now make is to the language "Bureau of Indian Affairs," in line 12, page 51, and to the language "Commissioner of Indian Affairs" in lines 20 and 21 on page 52. It is provided there that all expenditures of money appropriated for school purposes in Alaska shall be under the direction of the Commissioner of Indian Affairs. For a period of about 30 years this item has appeared in the appropriation bills under the Bureau of Education. The bill seeks to transfer the activities in Indian education in Alaska from the Bureau of Education to the Bureau of Indian Affairs. I make the point of order that it is legislation on an appropriation bill.

Mr. CRAMTON. Mr. Chairman, the contention of the committee is that there is no legislation involved. It is merely transferring an appropriation from one part of the bill to another. It is true that appropriations for education for the natives in Alaska have been carried heretofore as a part of the appropriations for the Bureau of Education in the Department of the Interior, but in the item before us the same item is carried as an item under the Bureau of Indian Affairs. In that connection let me call the attention of the Chair to the fact that very possibly if the committee had again reported the item under the Bureau of Education, such action might have been subject to a point of order because, in so far as there is any provision of law, clearly this responsibility is by law placed upon the Secretary of the Interior. If there is any provision of law which says that bureau shall be responsible, it is the Bureau of Indian Affairs and not the Bureau of Education. There is nowhere in existing statutory law any requirement or any authorization for the education of the natives of Alaska through the Bureau of Education, formerly and now known as the Office of Education. The only direct provision that the statutes carry with reference to that is to be found in the act of January 27, 1905, title 48, section 169, of the code.

This proposition will not be controverted, Mr. Chairman, by anyone, I am sure, because from the search I have made there is no other direct reference to the responsibility for educating the Indians of Alaska.

Section 169 of title 48 of the code provides—and this appears in the committee report, and it appears in the statement. I will read the section, and there is no controversy about it:

> The education of Eskimos and Indians in Alaska shall remain under the direction and control of the Secretary of the Interior. Schools for and among the Eskimos and Indians of Alaska shall be provided for by an annual appropriation, and Eskimos and Indian children of Alaska shall have the same right to be admitted to any Indian boarding school as the Indian children in the States or Territories of the United States have.

That paragraph has three provisions. First, the education of Eskimos and Indians in Alaska shall remain under the direction and control of the Secretary of the Interior. We propose to leave it there.

Second, it provides that schools for and among Eskimos and Indians of Alaska shall be provided for by an annual appropriation. The item to which a point of order is now made is an attempt on our part to comply with that requirement of law.

Third, that Eskimos and Indian children of Alaska shall have the same right to enter an Indian boarding school in the United States as would any Indian child in the United States.

It is interesting to note that every one of these schools which that provision provides may be entered by a child from Alaska are now administered by the Indian Bureau and not by the Office of Education. Whether that is of any parliamentary effect or not, that is the fact.

That far I am sure no one can controvert my statement that the only provision of law for the education of natives of Alaska expressly, simply puts them under the Secretary of the Interior, where we propose to leave them.

But let me go further and read you what the Snyder Act says—the law with reference to Indians and their education. The Snyder Act, which became the law on November 2, 1921, provides that the Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such moneys as the Congress may from time to time appropriate for the benefit, care, and assistance of the Indians throughout the United States for the following purposes: General support, civilization—including education—relief of distress and conservation of health, and so forth.

In connection with that, please keep in mind that the Alaska Code states in section 23 of title 48:

> The Constitution of the United States and all the laws thereof which are not locally inapplicable shall have the same force and effect within said Territory as elsewhere in the United States.

The Snyder Act, in so far as it is not inapplicable in Alaska, has the same force and effect in Alaska as in any other part of the United States. There being no contradictory provision, the Snyder Act places the Indians of Alaska under the Indian Bureau just as much as the Indians of the United States, and hence it would have been subject to a point of order last year when the bill proposed to provide for their education under the Office of Education; but this year, conforming to the Snyder Act, which placed them in 1921 definitely under the Indian Bureau, a point of order is not to be held good.

I do not care to discuss the merits of the proposition. If the point of order is not sustained and a motion is made to strike out the provision, of course I would proceed to discuss the merits of the question. I will only make this one further observation to put the statutory situation fully before the Chair. First, the law of 1905 provides that the education of these natives shall be under the direction of the Secretary of the Interior. Second, the Snyder Act provides that the education of Indian children shall be through the Indian Bureau, under the Secretary of the Interior. Third, the Code of Alaska, the fundamental law, provides that the laws of the United States, including the Snyder Act, shall be in force and effect in Alaska, in so far as they are not inapplicable.

There is a fourth provision that is of interest in this connection. The act of February 10, 1927—

> An act authorizing the designation of an ex officio commissioner for Alaska for each of the executive departments of the United States, and for other purposes—

Provides in section 2 that—

> Each of said Secretaries—

Of whom one is the Secretary of the Interior—

> shall delegate and assign to the commissioner representing his department—

And I may say the commissioner appointed to represent the Secretary of the Interior is the Governor of Alaska—

> general charge of any or all matters in Alaska under the jurisdiction of said department or of any bureau or agency thereof, to the extent, in the manner, and subject to such provision and control as the Secretary may deem proper and expedient.

In other words, the act of 1927, the latest statute, goes so far as to say that even if Congress should make an appropriation of a million dollars for the education of the natives of Alaska, under the Office of Education, the Secretary of the Interior has it in his discretion to transfer that responsibility from the Office of Education to his commissioner in Alaska, who is the Governor of Alaska, transfer unexpended appropriations to him, and let him carry the work forward.

We are not interfering with or changing any statute.

The CHAIRMAN. The Chair would like to ask the gentleman from Michigan, particularly in view of the last statute and the interpretation which the gentleman placed upon it, and with which the Chair has no disagreement, whether the language in lines 16 to 25, on page 52, does not in fact state just how the Secretary of the Interior and his Commissioner of Indian Affairs shall conduct their business, and to that extent goes further than the act which the gentleman has just read?

Mr. CRAMTON. The act just read is at rest until the Secretary seeks to call that authority into action, and until the Secretary does seek to call it into action it does not circumscribe our authority.

The CHAIRMAN. But has the committee that authority on an appropriation bill?

Mr. CRAMTON. The act of 1927 gives the Secretary authority to take it away from any bureau—the Indian Affairs, the Office of Education, or any other—and confer it upon his commissioner in Alaska. He has not exercised that authority, and hence that act can not be held as yet to have limited us.

The Snyder Act, which is still in effect, just the same as other statutes are in effect, provides that the education of

Indians shall be under the Bureau of Indian Affairs. We are conforming to that law. Then, if the Chair does not follow us there, which I felt sure the Chair would do, there remains the authority of law only that the Secretary of the Interior has direction of this education, and we are not disturbing that. The last time we had it on one page of the bill and we now have it on another page of the bill, but we certainly have not changed existing law by moving the item from one page to another.

To be perfectly frank with the Chair, I have been discussing the general proposition of a transfer of the appropriation, making the appropriation this yer to the Office of Education and for 1932 to the Bureau of Indian Affairs. The language to which the Chair refers, on page 52, the last proviso, may possibly have within it some legislative character, but, in my judgment, it is not a provision which matters. It is a provision which has been carried heretofore in the item under the Office of Education, identical with it here, except in the current bill it says, "Office of Education," while in the new bill before us it says, "Commissioner of Indian Affairs." It does happen that the Budget recommended that the language be stricken out this year, but it did not seem to us wise to do so. Of course, if the Chair rules against the paragraph on the ground of that proviso, I would offer the paragraph for consideration without the proviso.

I find I did not understand the point of order. The Delegate from Alaska now advises me that his point of order is only against that proviso.

The CHAIRMAN. And the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, but not against the paragraph.

Mr. CRAMTON. I misunderstood. I would have confined myself more if I had understood that. The proviso is not of vital importance and I would not take much of the time of the committee in arguing about it. The other language, "through the Bureau of Indian Affairs," would not affect the practical purpose at all, whether that language is in or not, but it seemed to us that it was desirable to put it there for the purpose of clarification, and I think under the statutes I have referred to we have the right to include that language.

However, I will say this: I will concede that the point of order is good against the proviso but not against the other language.

Mr. LAGUARDIA. The other language is as vital as the proviso itself.

Mr. CRAMTON. I want this bill to proceed, and I will say that I do not want to concede that the point of order is good as to the phrase in line 12, but I will agree with the Delegate from Alaska that if he withdraws his point of order and moves to strike out the words "through the Bureau of Indian Affairs," in lines 11 and 12, and the proviso, I will join him in support of such a motion. Then the paragraph will still be where it is, under the Indian Bureau.

Mr. LAGUARDIA. Mr. Chairman, we might as well have a ruling on it. I want to call the attention of the Chair to this proposition, that the gentleman from Michigan overlooks entirely the intent of section 169 of title 48 of the code. The Snyder law, to which he refers, has no application to section 169 or to Alaska, for the simple reason that the Snyder law refers to Indians and Indians alone, while the provisions of section 169 refer to Eskimos and Indians. The intention of section 169 was to leave the education of these Indians and Eskimos under the direct supervision of the Secretary of the Interior. Then when it refers to entrance into Indian schools, of course, there is notice that the Indian schools are under the jurisdiction of the Commissioner of Indian Affairs. By reason of the fact that you had other children there besides Indians, the supervision was taken away from the Indian Bureau and the proposition put under the direct supervision of the Secretary of the Interior, because the language is "he shall have," and it is not even discretionary. The Snyder Act, which the gentleman from Michigan stresses, is not at all applicable because that is applicable only to Indians.

Mr. CRAMTON. If the gentleman will permit, did I understand the gentleman to assert that the care of these Indians in Alaska ever was carried on by the Bureau of Indian Affairs and was taken away from that bureau?

Mr. LAGUARDIA. I say that the intent of section 169 of title 48, from which the gentleman has quoted, was to make a distinction in the case of Alaska by reason of the fact that you have Indians and Eskimos, and it was put under the direct supervision of the Secretary of the Interior.

Mr. CRAMTON. The gentleman is mistaken in that, and it is an assumption from the consideration of insufficient facts. The gentleman will find a great many cases where a burden is put on the Secretary of the Interior without the law stating what bureau shall administer it. That is true as to certain burdens put on the Park Service, the Land Office, and so forth.

The CHAIRMAN. The Chair would like to ask the gentleman whether he thinks the words "through the Bureau of Indian Affairs," in lines 11 and 12, deprive the Secretary of the Interior of the wide discretion which he now has under general law?

Mr. CRAMTON. Of course, I do not suppose it affects the parliamentary situation; but the fact is the Secretary of the Interior was consulted and in the report of the committee states his desire that this be done. His letter is quoted in the report. I do not know that that changes the matter, but it does make clear that the committee is not invading the jurisdiction of the Secretary of the Interior. We are proceeding in accordance with his desires on the contrary.

Mr. LAGUARDIA. Of course, the Chair can not take any cognizance of the desires of the official involved. That is not germane to the question at all.

Mr. CRAMTON. I think the Chair does take cognizance of the report of the committee.

Mr. LAGUARDIA. True; but you can not take that discretion away from him in this way.

The CHAIRMAN (Mr. CHINDBLOM). The Chair is required to rule only upon the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, the point of order having been conceded with respect to lines 16 to 25, inclusive, on page 52. The present occupant of the Chair does not mean to say his judgment would be foreclosed by the concession of the point of order if he did not agree with the concession. As it happens, the Chair does agree with the concession that these lines are subject to a point of order, and with reference to the words "through the Bureau of Indian Affairs," it seems to the Chair that they do infringe upon the present wide authority of the Secretary of the Interior, who may use any agency under his control under the existing law, and it might be held to be a pro tanto repeal of the law of 1927, to which the chairman of the committee called attention, inasmuch as this would be a later enactment than the general law of 1927.

For these reasons the Chair feels constrained to sustain the point of order as to the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, and with respect to the proviso beginning in line 16 and ending in line 25, on page 52.

The Chair sustains the point of order.

Mr. CRAMTON. Mr. Chairman, I move to amend the bill by inserting the amendment which I send to the desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 51, after line 9, insert a new paragraph as follows——

The CHAIRMAN. The Chair will state that the Chair did not sustain the point of order as to the entire section, but only that language which was referred to.

Mr. CRAMTON. Then I stand corrected. If the point of order is directed to that language specifically, then I do not need to offer the amendment.

The CHAIRMAN. As to the words "through the Bureau of Indian Affairs," in lines 11 and 12, on page 51, and the proviso beginning with line 16 and ending with line 25, on page 52, the point of order is sustained.

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. What is the effect, the objectionable language having been stricken out, of having this paragraph in the appropriation bill under the title of the Indian Bureau?

Mr. CRAMTON. We have got to put it somewhere.

Mr. LAGUARDIA. Why not put it under the Bureau of Education?

Mr. CRAMTON. I want to argue that point. That involves the merits.

The CHAIRMAN. Unless there is a further motion the Clerk will read.

Mr. SUTHERLAND. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Alaska has an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SUTHERLAND: Page 51, line 12, after the word "the," strike out "Bureau of Indian Affairs" and insert in lieu thereof "Office of Education."

Mr. CRAMTON. Mr. Chairman, before the gentleman takes the floor in support of his amendment, I wonder if we can agree on the time for debate. Would five minutes on a side be sufficient?

Mr. SUTHERLAND. Whatever the gentleman wishes.

The CHAIRMAN. The Chair will state that the amendment is not in proper form. The entire phrase, "through the Bureau of Indian Affairs," has been stricken out on a point of order.

Mr. CRAMTON. And the gentleman wants to put in "Office of Education" in place of that?

Mr. SUTHERLAND. I did not understand that that was stricken out, but only the proviso at the close of the paragraph.

The CHAIRMAN. The words, "through the Bureau of Indian Affairs," as well as the proviso on page 52, were stricken out.

Mr. SUTHERLAND. Then the point of order in general was sustained.

The CHAIRMAN. The point of order was sustained on both counts.

Mr. SUTHERLAND. Then I will ask to correct my amendment by inserting after the word "direction" in line 11, page 51, the words "through the Office of Education."

The CHAIRMAN. Without objection, the Clerk will report the amendment as now offered:

The Clerk read as follows:

Amendment by Mr. SUTHERLAND: Page 51, line 11, after the word "direction" insert the words "through the Office of Education."

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. SUTHERLAND. Mr. Chairman, my purpose is, if possible, to prevent the work of education among the native people of Alaska being transferred from the present bureau to the Bureau of Indian Affairs.

Primarily the people of Alaska, the aborigines, are not considered Indians. We have the Eskimo and various races there and sometimes we speak of them as Indians, but officially they are recognized as the native people of Alaska. The paragraph under discussion is entitled "Work Among the Native People of Alaska." The gentleman from Michigan has never yet, as I recall, used the word "Indian" in speaking of the people of Alaska. They are native people, and it is a serious question whether they are Indians or not. For 30 years the education of these people has been carried on by the Bureau of Education of the United States, and very successfully, indeed. These people have progressed and have reached a very fine stage of civilization; they are thrifty, independent people, and appreciate the freedom that they enjoy. They are not wards of the Government of the United States; they are absolutely a free people and have never yet been classified with the plains Indians under the supervision of the Bureau of Indian Affairs.

For 10 years I sat in Congress and served on the Committee on Indian Affairs. I listened to criticisms of the Bureau of Indian Affairs. I have been in doubt sometimes as to the truth of some of the charges made against them, but for years Members on the floor of the House and before the committee have told of the cruelties that have been perpetrated by agents of the Indian Bureau on these plains Indians, and we have heard Indians before the committee describe the cruelties and injustices they suffered at the hands of the Bureau of Indian Affairs.

Now, the native people of Alaska do not want to come under this bureau. They live in dread of it. They take the position that they are not in the same class with the Indians of the plains of the United States.

We do not want this autocratic bureau—call it paternal if you will—to extend its powers into the Territory of Alaska. Keep it in the States where it belongs, where it was originally designed to operate, keep it out of the Territory of Alaska, away from these people, absolutely free, and not under the control of any bureau of the United States Government.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. LAGUARDIA. What is the situation there now as a practical matter under the Bureau of Education?

Mr. SUTHERLAND. The native people are very well satisfied. I will say that the Bureau of Education has done a wonderful work. I want to give the bureau credit for the work it has done there with these natives.

Mr. LAGUARDIA. Is the Bureau of Education administering education in your Territory efficiently?

Mr. SUTHERLAND. Among the natives; yes.

Mr. LAGUARDIA. Then, what is the reason for making the transfer?

Mr. SUTHERLAND. It is for some reason that the present Secretary of the Interior has in mind to take away all of the activities of the Bureau of Education except the preparation of statistics. Now, when he takes away the education of Alaska natives from the bureau it takes 70 per cent of the work provided by the Appropriation Committee. Seventy per cent of the money provided for that bureau is applied to Alaska. Very early in this term the present Secretary of the Interior took the work of caring for reindeer, which has always been held by the Board of Education as educational work for the benefit of the Indians, and the Appropriation Committee has held that it was educational work—he decided to take it away from the Bureau of Education and place it under the governor of the Territory. There was an organization caring for the reindeer then and for the interest of the natives.

And so the care of the reindeer was transferred to the Governor of Alaska who has no organization, only himself, to care for the reindeer. The result of that was a sort of an explosion in the Territory. Today the gentleman from Montana, Mr. LEAVITT, Senator KENDRICK, and a representative of the Department of Justice have been called upon to adjust the troubles that have arisen in Alaska from the administration of the care of the reindeer. The transfer of the reindeer into the hands of the Governor of Alaska was made without any authorization of law. That is, there was no authority in law to place that industry in the hands of the governor.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. CRAMTON. How can the gentleman say that, in the face of the act of 1927, which I have just read?

Mr. SUTHERLAND. The act of 1927 does not confer any such powers on the Governor of Alaska.

Mr. CRAMTON. No; but it clearly and expressly says that the Secretary of the Interior may make the transfer to

the governor, which he did, or to the commissioner, who happens to be the governor.

Mr. SUTHERLAND. That is not the governor. I doubt very much if the former Secretary of the Interior had any authority of law to make the governor the representative of the Interior Department on that commission.

Mr. CRAMTON. The transfer was not made to the governor. It was made to the commissioner, who happens to be the governor.

Mr. SUTHERLAND. The original act creating the governorship specifies what the duties of the governor are, and they are not caring for reindeer, and I am not giving my own opinion as to the illegality of that. I am giving the opinion of excellent lawyers who have brought to my attention that there is nothing in law to support the action of the Secretary in transferring the reindeer to the governor, or even placing the governor on the administrative commission of 1927. The Governor of Alaska is not the representative of any particular department, and it was the intent of Congress that he should see that the officials performed their duties properly, and that is quite a contract for him to perform without caring for reindeer.

Mr. CRAMTON. Mr. Chairman, I do not want to go into a discussion of the care of the reindeer further than to say that the act of 1927 gave the authority to the Secretary which he exercised. I submit this observation, however, that anyone who studies the history of that reindeer experiment in Alaska must be impressed by this, that the Bureau of Education has not shown in the 10 years that I have been in contact with the problem the zeal for the best interests of the natives of Alaska in connection with that experiment that they might, and that there is a necessity to-day that something be done.

As to the education of the natives of Alaska, the gentleman speaks of the plains Indians. There are all kinds of Indians in the United States—plains Indians, mountain Indians, desert Indians—and there is no question but that some of the native population up there in Alaska are of Indian stock and some of Eskimo stock.

The fact that the appropriations are as great as they are for the care of the natives of Alaska in the bill is due more to the zeal of our committee in the last few years than it is to the zeal of the Office of Education. Time after time the Delegate from Alaska [Mr. SUTHERLAND] has come to us complaining of the lack of facilities, and sometimes we have been able to meet his views and give greater facilities. The Bureau of Education is not an administrative bureau. It is destined for other things, as a clearing house of education for the United States. Is it not a grave travesty when the Delegate from Alaska can assert, as he has here, that 70 per cent of the appropriations for the Bureau of Education, which has to do with the problems of education all over this great Nation, are devoted to the care of a few natives up in Alaska? The Bureau of Education is not an administrative bureau. It is in no way fitted to do that kind of a job. The Bureau of Education wants to get rid of the work. In the annual report of the commissioner, which I quoted in my remarks, to be found on page 341 of the RECORD, the other day it was stated that they wanted to get rid of it. It is an administrative burden that handicaps their general work, as it ought not to do. The Secretary of the Interior in his letter says:

> As you may know, Commissioner Cooper and I have both been interested in reducing the administrative work of the Office of Education to a minimum. Consequently, I am pleased to indorse the proposal to transfer the administrative function of handling the natives of Alaska to the Indian Office, where I believe it will merge logically and practically with the work now being performed there. There would be many advantages, and I believe the organization of the Indian Office will lend itself effectively to the consolidation from the start. The Public Health Service is now cooperating with that bureau, and the plan of organization of the various functions, such as health, education, industries, employment, and finance, should enable us to exercise more effective supervision of the work in Alaska than is possible under the present arrangement.

The plan of the committee proposes that not only the work of education but that of health be performed by the Bureau of Indian Affairs. The Bureau of Education has no contact with the Public Health Service. This health work that we are spending so much money on in Alaska has no contact with the Public Health Service, but all of the public health work of the Indian Bureau is carried on under Doctor Guthrie, an official of the Public Health Service. There is the closest contact possible. These natives of Alaska are largely up along the coast of Alaska, stretching all the way for hundreds and hundreds of miles of coast line away up into the Arctic Circle. Can you justify the Bureau of Education being charged with a health problem in Alaska thousands of miles away from Alaska? Can anyone justify burdening the Bureau of Education with the care of the health of the natives of Alaska? The administrative problems of education are unrelated to the work of building hospitals and making provision for nursing and provisions of medical relief. In the Bureau of Indian Affairs we find an organization there, a health service, set up under the direction of officials of the Public Health Service and other agencies. There is an industrial agency being built up that can give study to the marketing of the products of those natives of Alaska at the same time that it gives study to the marketing of the peculiar wares of the Navajos.

I am surprised that my friend from Alaska should oppose this proposition, having in mind, I may say, his constant dissatisfaction for several years with the work of the Office of Education in Alaska, realizing, as I do, that the Bureu of Indian Affairs has more money at its disposal than it has had before; and I may say that its splendid organization, with the very highest ideals, do not in any way justify the attack made by the Delegate from Alaska. I am satisfied the welfare of those poor people up along Alaska's shores will be much safer under the Bureau of Indian Affairs than they are now in the Office of Education that asks to be relieved of the responsibility.

Who can serve them best? Officials who say that they do not belong in their bureaus, officials whose thought is given to problems here and not in the field, officials whose thought is given to studies, examinations, surveys, and exchanges of information, who have no taste and no time for administrative problems, or the Bureau of Indian Affairs, which is interested in the problem of the rehabilitation of the native?

I hope the gentleman's amendment will not prevail.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> *Provided further*, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: Albuquerque Sanatorium and employees' quarters, New Mexico, $375,000; Sioux Sanatorium and employees' quarters, Pierre, S. Dak., $375,000; Ignacio Hospital, Colorado, $75,000; in all, $825,000: *Provided further*, That appropriations contained in the Interior Department appropriation act, fiscal year 1931, and the second deficiency act, fiscal year 1930, for construction and equipment of hospitals, are continued available until June 30, 1932: *Provided further*, That appropriations contained in the Interior Department appropriation act for the fiscal year 1931 and the second deficiency act, fiscal year 1930, for the construction and equipment of the Seger Hospital and employees' quarters, Oklahoma, are hereby reappropriated and made available for construction and equipment of a hospital and employees' quarters at Clinton, Okla.

Mr. WILLIAMSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

> Amendment by Mr. WILLIAMSON: Page 56, line 20, strike out the word "Pierre."

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to this paragraph close in 15 minutes, 5 minutes for the gentleman from South Dakota [Mr. WILLIAMSON], 5 minutes for the gentleman from South Dakota [Mr. JOHNSON], and 5 minutes for the committee.

Mr. WILLIAMSON. That will be two against one. If the gentleman will allow me 10 minutes and amend his request to make all debate close in 20 minutes, I will not object.

Mr. CRAMTON. I will do that. I will ask to amend my request to make it 20 minutes.

Mr. JOHNSON of South Dakota. That would mean that the gentleman from South Dakota [Mr. WILLIAMSON] would have 10 minutes and the gentleman from Michigan and I would each have 5 minutes?

Mr. CRAMTON. Yes.

Mr. JOHNSON of South Dakota. I have no objection.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on this amendment and all amendments to this paragraph shall close in 20 minutes. Is there objection?

There was no objection.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. WILLIAMSON. Ladies and gentlemen of the committee, as perhaps most of you observed, I have offered an amendment to strike out the word "Pierre" in line 20 in the item "Sioux Sanatorium and employees' quarters, Pierre, S. Dak., $375,000."

The purpose of the amendment is to permit the Bureau of Indian Affairs and the Secretary of the Interior to locate the proposed tubercular sanatorium at any point they may see fit in South Dakota. The committee has written into the bill "Pierre, S. Dak.," as the location.

On turning to the hearings I find that no testimony whatever was taken with reference to the suitability of Pierre, S. Dak., as a location for a tubercular sanatorium. Pierre, S. Dak., as some of you at least know, is located upon a high plain adjacent to the Missouri River, with no shelter of trees or anything else to protect the buildings or a sanatorium of this character. Rapid City, on the other hand, is located in the foothills of the Black Hills, surrounded by pine timber, except on the east. The location suggested for Rapid City is within a semicircle of timber and mountains, and is almost ideal for a tubercular sanatorium.

The only thing I am seeking to do by the amendment is to permit the Indian Bureau and the Department of the Interior to decide upon the location from the standpoint of merit. I do not believe the Committee on Appropriations should undertake, without hearings, without investigation, and without consulting the Member of Congress from the district that is most vitally affected, to put the location at Pierre. The location should be determined by experts who know something about the proper treatment of tubercular children after a careful survey of all available sites. It is not a question of whether one town or another should have the sanatorium. The welfare of those to be served should have first consideration.

There are several reasons why it should be located in the Black Hills. I assume the chairman of the Subcommittee on Appropriations, in charge of this bill, wants to put the institution in a location where it will be of the greatest value to the Indians to be served. My district has something over 20,000 Indians. The total Indian population of South Dakota is only 27,000, or thereabouts. It is apparent, therefore, that the great bulk of the Indian population lives within the district which I represent. Just why these Indians, who look to me for aid whenever they are in need or in trouble, should have their sanatorium placed in another congressional district is not apparent. Now, because the people of Rapid City and I, as their Representative, made a fight to prevent our industrial Indian school being converted into a tubercular sanatorium it is sought to take this proposed tubercular hospital out of my district and put it on the other side of the river, in the district of my distinguished colleague, ROYAL C. JOHNSON, at a point where it is not nearly as accessible to the Indians who are to be cared for. There is nothing in the hearings to show what territory is intended to be served, but the information I have from the Secretary of the Interior is to the effect that this institution is intended to serve not only the Indians of South Dakota but the Indians from Nebraska, Wyoming, and Montana.

Rapid City is served by five railroads, the railroads running to the north, south, east, and west. Pierre, S. Dak., is served only by one railroad, going through from east to west. There is no question but what the Indians on the Pine Ridge Reservation and the Rosebud Reservation can be better served at Rapid City than at Pierre. The total population on those two Indian reservations alone is about 14,000. In all probability there will be more inmates from these reservations than from all other reservations combined. The Nebraska Indians are located near railroads going directly to all available Black Hills locations.

Indians from Wyoming and Montana can also reach Rapid City by railroad without any difficulty and for the most part will have to go through that town to get to Pierre, some 225 miles distant. This will add greatly to the hardships of patients and will cast a greatly added burden upon the Government.

Another point in favor of Rapid City is the climate. The climate at Rapid City or any of the towns to the south in the Black Hills is much more suitable for patients, particularly those suffering from tuberculosis, than is the climate at Pierre, S. Dak.

I am going to put in the RECORD, because I shall not have time to read it here, a weather chart for Rapid City, in order that the Congress, at least, may have some information with reference to the climate at this point. The chart covers the years from 1888 to 1929, inclusive.

An examination of this chart discloses that the average mean temperature in Rapid City, S. Dak., over a period extending from 1888 to 1929 was 22° F. in January, 23° in February, 32° in March, 45° in April, 53° in May, 64° in June, 70° in July, 69° in August, 60° in September, 48° in October, 36° in November, 27° in December, making an average of 46° the year around.

Mr. CRAMTON. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. CRAMTON. Will the gentleman state the extreme low temperatures?

Mr. WILLIAMSON. I do not have that information. I am giving the average temperature each month for that entire period.

I may say to you, however, that the extreme low temperature at Rapid City is considerably less than that at Pierre, S. Dak.

Mr. CRAMTON. I understand one is 36° and the other is 40° zero. I do not know whether anyone would notice much difference.

Mr. WILLIAMSON. That would be 40° at Pierre and 36° at Rapid City. However, you will find that the average temperatures at Pierre go to greater extremes. Now, the wind velocity at Rapid City is another item to be considered. The average annual wind velocity is only about 8 miles, a little less than 8 miles. Then, too, we have sunshine 64 per cent of the entire time during daylight. You will find that the averages for temperatures, for wind velocity, and for sunlight, as well as for everything that contributes to recovery of tubercular patients, are in favor of the Rapid City location. I am not contending that it shall be placed in Rapid City necessarily, but I am contending that consideration should be given to all available locations by a competent medical staff with a view to that selection which will contribute the most to the speedy recovery of the patients. I contend it should not be arbitrarily placed at Pierre without giving the Secretary of the Interior a chance to dispose of the matter upon its merits. What Rapid City citizens may have said when the Indian school was jeopardized should not be the controlling factor.

I happen to know that medical opinion is in favor of Rapid City or a location in the hills, as against Pierre, S. Dak. I have here a letter from C. H. Mayo, of Rochester, familiar to most of you, I think, written to Doctor Jackson, of Rapid City, S. Dak. That celebrated authority says under date of October 27, 1930:

OCTOBER 27, 1930.

Dr. R. J. JACKSON,
First National Bank Building, Rapid City, S. Dak.

DEAR DOCTOR JACKSON: I heard recently that some of the leaders in the Indian affairs of the United States are seriously thinking

of establishing a sanitarium for the treatment of tuberculosis among the Indians. I know the people of Rapid City are commercially active, industrious, and interested in all progress, and I think it would be a fine thing for them to get together and try to get this sanitarium located there, as the climate, elevation, dry, air, etc., which contribute so much to the alleviation of suffering and the recovery of those having tuberculosis are also found in the Black Hills.

With kind personal regards to you and Mrs. Jackson,

Sincerely yours,

C. H. MAYO.

Here is another letter, from W. J. Mayo, brother of this distinguished physician:

OCTOBER 31, 1930.

Dr. R. J. JACKSON,
First National Bank Building, Rapid City, S. Dak.

DEAR DOCTOR JACKSON: I am very much interested in your letter of October 28 concerning the possibility that the United States Bureau of Indian Affairs is about to select a location for a sanitarium for tuberculous Indians and are considering Rapid City.

Rapid City has every desirable feature as a site for a sanitarium for the tuberculous as to location, altitude, and climate, and I hope that the Bureau of Indian Affairs will be able to give it favorable consideration.

With kind personal regards to Mrs. Jackson and yourself, in which Mrs. Mayo joins me,

Sincerely yours,

W. J. MAYO.

The water supply in the Black Hills is abundant and of the very best. It comes from perennial mountain springs and is pure and clean.

Another thing which I think should be considered, and which this committee apparently entirely overlooked, is that you can get a great deal for your money in the way of buildings in Rapid City, more than you can at most towns in South Dakota. There is a large State cement plant located there, an abundance of cheap gravel, and building materials of all kinds.

Following is the weather chart I referred to a moment ago:

Weather Bureau data, Rapid City, S. Dak.

	January	February	March	April	May	June	July	August	September	October	November	December	Annual
Mean temperature (1888–1929)	22.8	23.3	32.5	45.0	53.9	64.0	70.8	69.7	60.3	48.5	36.0	27.1	46.2
Mean precipitation (1888–1929)	0.43	0.47	1.06	1.92	3.54	3.43	2.50	1.70	1.31	0.95	0.50	0.40	18.23
Mean relative humidity: [1]													
6 a. m.	71	72	71	68	69	69	65	65	62	62	64	67	64
6 p. m.	66	66	59	50	49	50	43	41	42	49	59	63	51
Prevailing wind direction [2]	W.	N.	NW.	N.	N.	W.	W.	W.	W.	W.	W.	W.	W.
Average hourly velocity [2]	7.6	7.7	8.8	9.3	8.8	8.1	7.4	7.1	7.7	7.9	7.8	7.5	7.9
Sunshine per cent (1907–1929)	58	63	64	62	61	67	73	73	69	65	64	56	64
Number of days of sunshine 1930	26	26	28	27	28	30	31	31	30	29			
Number of days clear, partly cloudy, and cloudy: [1]													
Clear	12	9	9	9	8	10	13	14	14	14	11	12	136
Partly cloudy	10	10	11	10	12	12	13	12	9	9	10	9	126
Cloudy	9	9	11	11	11	8	5	5	7	8	9	10	103
Total number of days with dense fog 1888 to 1929, inclusive	23	10	20	22	11	12	4	11	7	16	22	30	171

[1] Record for 42 years from January to July, November and December, and annual; other months for 43 years.
[2] Record for 43 years except for November and December and annual.

I also offer the following for the information of the committee:

WATER REPORT FROM THE PENNINGTON COUNTY HEALTH DEPARTMENT

Subject: Rapid City water supply.

Bacteria count per cubic centimeter: Room temperature, 224; 38° C., 50.

Gas produced in lactose broth: 24 hours, none; 48 hours, none. No colon.

S. CRABB, *Bacteriologist.*

NOTE.—Our water supply is considered one of the best and purest, coming direct from mountain springs.

Dust: Very little.

The price per cubic foot for a recent fireproof construction in Rapid City: The price per cubic foot of the new school building just completed was 28 cents. The price per cubic foot for the St. John's Hospital, a fireproof construction, was 31 cents.

Mosquitoes: None.

Flies: Very few.

Availability of sand and gravel, and price per yard or ton: Washed sand available in large quantities at $1.40 per ton f. o. b. Rapid City; crushed gravel available in large quantities at $1.40 per ton f. o. b. Rapid City.

Natural gas: Natural gas is available, passing within 100 feet of proposed site No. 3, and we will deliver same to property line of above site. This provides a much better and cheaper fuel for heating. It is now being used at the Indian school.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment. The distinguished and able gentleman from South Dakota [Mr. WILLIAMSON] has done remarkably well with the material he has had. The anomalous position in which he finds himself is not because of any fault of his own, but due to the previous record made by his constituents in opposing the building of a hospital in Rapid City.

As a matter of fact, I think there is very little difference in the climatic conditions in either of the cities involved, and I am satisfied that if this hospital were placed in either city the treatment which would be given the inmates would not be affected by the climate.

The facts are that this institution would have been placed in Rapid City some years back had it not been for the magnificent fight conducted by the gentleman from South Dakota [Mr. WILLIAMSON], at the behest of the citizens of Rapid City. To-day every Member of this House has received telegrams signed by Mr. Bronson, of the Commercial Club of Rapid City, who now, apparently, desires this institution. It is only a short time ago, November 22, 1929, when Mr. Bronson said, in a letter to a Member of Congress from South Dakota and myself:

Please do not be misled by anyone trying to make you believe we want this tuberculosis hospital here as we do not want it at all, and if a committee can do any good to appeal to the President or the new Secretary or Indian Commissioner let us know and we will come down, as we do not want this sanitarium above Rapid City, and our town is 100 per cent solid on that.

Then, at the request of these same gentlemen, who have now reversed their position, they made it necessary for my eminent colleague to go before the Appropriations Committee and state:

I want to call your attention to the distances of these reservations from Rapid City. There are no railroads to the reservations, and you have to go by automobile or some other overland conveyance, for the most part. From the Rapid City school you can go to a point near the Lower Brule Reservation by train, but that is the only one. From Rapid City to the Pine Ridge Reservation is a distance of 119 miles.

Then he was compelled, at their request, to show how inaccessible Rapid City is. Then, in 1929, I received a letter from Mr. Bronson, who has to-day wired everyone in the House of Representatives, inclosing a very long resolution from the Chamber of Commerce of Rapid City, protesting very vigorously against this sanatorium going there. That was signed by Cyrus C. Warren, chairman of the chamber of commerce.

Mr. Chairman, I ask unanimous consent to extend my remarks by inserting these resolutions.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The resolutions referred to follow:

Resolution

Be it resolved, That the Rapid City Chamber of Commerce, representing the business interests of this city, unanimously go on record as being opposed to the establishing of an Indian tuberculosis sanitarium at Rapid City; and be it further resolved that we use every effort to retain our Indian school in its present status. Further, that we believe the establishing of the sanitarium on

Rapid Creek, above the city, would be a great detriment to our city.

And a copy of this resolution be sent to our Senators and Congressman at Washington.

RAPID CITY CHAMBER OF COMMERCE,
By CHARLES J. BUELL, *President.*
By R. L. BRONSON, *Secretary.*

Dated this 10th day of April, 1929.

RAPID CITY, S. DAK., *November 22, 1929.*

Congressman ROYAL C. JOHNSON,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN: Inclosed you will find copy of resolution passed by our chamber of commerce yesterday, and we certainly would appreciate anything you can do to help us save our Indian school from being changed to a sanatorium. Our people here are 100 per cent opposed to our Indian school being transformed into a sanatorium.

Thanking you again for your good work you have done for us, and assuring you we of the Black Hills appreciate it, we remain,

Yours very truly,

CHAMBER OF COMMERCE,
R. L. BRONSON, *Secretary.*

Resolution

Whereas the last session of Congress in the appropriation bill discontinued the Rapid City Indian School and substituted therefor a tuberculosis sanatorium; and

Whereas in the judgment of the Chamber of Commerce of Rapid City this was very inadvisable from the standpoint of the welfare of the Indians in this vicinity, the Indian Service, and the business interests of this part of South Dakota: Therefore the Rapid City Chamber of Commerce at a special meeting called to consider this matter:

Resolved, That our Senators and Representatives in Congress be requested to do everything possible that they can do to restore the Indian school to its former status and to do so at the earliest possible date; be it further

Resolved, That the Indian school committee of the Rapid City Chamber of Commerce be instructed to advise our Senators and Representatives of this action; and further

Resolved, in the judgment of the chamber of commerce that this is the unanimous opinion of the community; be it further

Resolved, That if it is deemed advisable, the chamber of commerce will send representatives to Washington to advise congressional committees or others as to the true situation; be it further

Resolved, That copies of this resolution be sent to Senator PETER NORBECK, Senator W. H. MCMASTER, Congressman WILLIAM WILLIAMSON, Congressman ROYAL C. JOHNSON, Congressman C. H. CHRISTOPHERSON, and Secretary of the Interior Ray Lyman Wilbur.

CYRUS C. WARREN,
Chairman.
C. E. GRAY,
GEO. P. BENNETT.
E. M. REEVES.
PAUL E. BELLAMY.

Incidentally, at the same time, the Lions Club of Rapid City unanimously went on record saying:

Be it resolved, That the Lions Club of Rapid City, S. Dak., unanimously goes on record as being very much opposed to changing the Indian school located in this city to a tuberculosis sanitarium, and that we lend every effort possible to keep this Indian school as it is at the present time, as we believe it would be very injurious to this city to have a tuberculosis sanitarium located above our city.

Mr. CRAMTON. When was that resolution adopted?

Mr. JOHNSON of South Dakota. That was adopted on April 9, 1929. I do not know whether they have changed their position or not. The Rotary Club of Rapid City protested very vigorously against the establishment of this hospital in Rapid City in a resolution, as follows:

Be it resolved by the board of directors of the Rapid City Rotary Club, at the direction of the members of said club, That we are absolutely opposed to the establishment of an Indian tuberculosis sanitarium at Rapid City.

And be it further resolved, That we use every effort to retain this Indian school in its present status. Further, that we believe the establishment of the sanitarium on Rapid Creek, above the city, would be a great detriment to our city.

Resolutions were also adopted by the American Legion, the American Legion Auxiliary, the Rapid City Cosmopolitan Club, the railroad workers' organizations, and every single organization in that city.

I desire to quote the following from a statement made by Hon. Dale Werner, appearing in the Gate City Guide of December 28, 1928:

A tubercular sanitorium on the site of the present Rapid City Indian school is highly objectionable and is not considered anything other than a detriment to the growth and progress of Rapid City and of the development and improvement of the territory surrounding it. There is no doubt but what the city will grow westward, and when our city reaches a population of twenty-five or thirty thousand, within the next five years, as has been repeatedly stated, there will be hundreds of homes established adjacent to this property. It can readily be realized that a sanitorium of this sort would not be conducive to increasing property values, or that it would offer pleasant surroundings.

Now, reversing themselves, they have placed my distinguished colleague in a position where he must reverse himself. He simply carried out their wishes when they came down here and said they did not want this tuberculosis institution. A lot of the trouble he got into was because some local politicians out there wanted to make trouble for him. Just because of the mere fact we may be compelled to run against each other two years from now when we lose a Member of Congress is no reason for me to allow anyone to take political advantage of him, and they are certainly not going to do it with my consent.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I only have a minute. I would like to yield to the gentleman.

The facts are, the building which they built up in order to embarrass him has crashed on them. The able and distinguished chairman of the committee in charge of the bill, Mr. CRAMTON, when he placed the hospital in Pierre, placed it exactly in the center of the area where these Indians are. There are 27,000 Indians in South Dakota. It is true that 20,000 of them are in the district represented by my colleague [Mr. WILLIAMSON], but the Indians in the State are all tributary to Pierre. They have got to be brought in by automobiles and they would be taken care of better at that place than at any other place so far as transportation is concerned.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CRAMTON. I would like to yield the gentleman one minute of the time I may have.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. It is really unfair that these individuals should reverse their position and therefore place the gentleman from Rapid City, S. Dak., and myself in this peculiar situation. We both want to do what is fair to the Indians, and I believe with the showing that Rapid City has made through its commercial club and through every other club it possesses that they do not want the institution, they ought to be precluded from now moving it from Pierre.

Mr. CRAMTON. Mr. Chairman, in opposition to the amendment, for a long time there has been a boarding school at Rapid City in an attractive location 2 or 3 miles from town. I think two years ago our committee, because of the imperative need of facilities for tubercular children who might be treated and educated at the same time, wanted to make that a tuberculosis sanatorium school, and we succeeded in carrying that through the House notwithstanding these protests from that city, but the protests continued. They did not want tubercular children there coming in contact with the people of the town. To my mind that attitude is half a century ancient, but they succeeded in making such a fuss that a year ago we had to abandon that sanitorium-school idea and reopen the boarding school, and some of those children who might have been cared for in that tuberculosis sanatorium were sent elsewhere and possibly there may have been fatalities.

I have the highest admiration for the gentleman from South Dakota, Judge WILLIAMSON, as I have for his colleague, Mr. JOHNSON. Each is zealous, active, able, and sincere. But our committee, in these responsibilities, can not be actuated by personalities, and this is an important proposition, a tuberculosis sanatorium with 100 beds to care for the Indians. It appears to me, first, that no such institution ought to be located in a community that is markedly hostile to that kind of institution. I do not believe it is right.

Next, we ought to consider accessibility, and while Rapid City seems nearer the center, if you take the whole area now discussed, including Montana and Wyoming, yet it will only be a short time when that area will be served elsewhere and they will have similar institutions over there. The immediate territory that belongs to this institution is shown on this map—South Dakota, some of North Dakota, a little of Nebraska, and Pierre is the reasonable center therefor. Here is a map with the reservations indicated and here is Pierre and over here is Rapid City [indicating]. Most of them will come in by automobile beyond any question.

We talked with the health officials of the department, and they have no marked preferences as between Pierre and Rapid City, so far as climate is concerned.

It seems to us, on the ground of accessibility and the local attitude, that the desirable place is Pierre. It is customary, with respect to these institutions, and I have never known an exception, to name the location in the appropriation. To do so in this case is especially important, because it expedites construction. If the place is not named, Black Hills would like to have it put over in that country and we would have the Indian Bureau, for six months or a year, hearing protests from here and there before they could even start to build the institution. I would rather name the place in the bill and have them proceed right away with the work and have the sanatorium proceeding with its work of mercy as soon as possible.

I hope the amendment is not agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. WILLIAMSON].

The question was taken, and the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having taken the chair as Speaker pro tempore, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14675, the Interior Department appropriation bill, and had come to no resolution thereon.

PREFERENCE FOR AMERICAN CITIZENS ON FEDERAL PUBLIC WORKS

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. Mr. Speaker, for the information of the membership of the House and to meet some requests that have come to me, I ask leave to extend my remarks in the RECORD by incorporating a memorandum addressed by me to President Hoover, under date of August 6, 1930, on the subject of the adoption of an administrative policy by the Federal Government to insure preference to American citizens, war veterans, and citizen local labor in employment on building construction works of the Federal Government; also a letter from me to the Secretary of the Treasury on the same subject.

This memorandum, in four parts, touches on (1) present legal requirements in formation of contracts on behalf of the United States; (2) the labor policy of the various States as incorporated in their contracts; (3) the policy of some of the foreign governments with respect to their public contracts; and (4), in conclusion, the authority of the President to direct the inclusion in the standard Government construction contract form of a stipulation to require preference for citizen local labor.

In a summarized way, the memorandum declares—

That the direct and tangible benefits of the $315,000,000 building program, as well as the normal building needs, should accrue to the citizens of the country, and that aliens should not be given a preferred status at any time, and especially during unemployment depressions;

That on American institutions American labor, with preferment to ex-service men, should be given priority over aliens;

That the practice of employing cheap alien labor, willing to work for greatly reduced wages, and unattached to any of the principles which the American workman has stood for in the way of high standards of working and living conditions, has resulted in direct discrimination against the American citizen workman, his family, and the community in which he lives, and constitutes a serious threat to stable labor conditions in this country;

That the pitch of resentment against present practice, which permits the employment of aliens on national construction works when there is an ample supply of idle and capable American labor runs highest when it is realized that in the construction of a veterans' hospital many veterans have been denied jobs because the construction rolls were filled with the names of aliens;

That the aims of the government construction program should assure against a monopoly of the benefits of labor by aliens, and that a fair and equal and benefiting distribution of these benefits should accrue to American citizens in the States where the work is performed, with preferment to the veterans of our wars;

That no contractor should bring with him on a Federal construction job a cheap, itinerant, bootleg labor supply when unemployment exists among the qualified citizens of the State where the work is performed;

That the United States should not be less solicitous in its protection and preferment of its citizens than foreign countries, practically all of which have rigid laws against the employment of nonnationals, irrespective of whether the work is for the State or private parties;

That the policy of foreign governments is to avoid unfair competition by cheap alien labor which might result in lowering the standard of conditions attained by national workers, and that the whole aim of their systems is to see that aliens do not receive preferential treatment to the detriment of the national worker;

That the United States, by its lack of policy of preference for American-citizen labor on national construction works, is injecting a serious factor of disturbance in those States that have preference policies for the American citizen. Some of the larger States are California, Massachusetts, New Jersey, New York, Pennsylvania, and so forth;

That in its attitude toward labor on its own construction jobs the Federal Government lags far behind the efforts of the States, not only in the matter of preference but in the protection of labor through the lack of any requirements making necessary the use of workmen's compensation insurance schemes on national construction projects;

That wide resentment and objection has been voiced against the present conditions, not only by labor and veteran organizations but by municipalities; and in the case of the lack of the requirement of workmen's compensation policy applied to Federal projects a Western State has directly urged this need on the Federal Government. This protest took the form of a request on the Government that its performance bond include a provision that no Federal contractor operating in the State concerned should be released from his contract where any case involving claims for injury to a workman had not been settled;

That the policy of preference for the citizen and ex-service man, in the State where the work is performed, as proposed by him, would operate fully to quiet the discontent which increases to a dangerous point during periods of economic depression, when such citizens and ex-service men see aliens preempting jobs they feel belong to them, simply on the score that the alien's labor is cheap;

That such a policy would be as much in the interest of the efficient contractor as the worker. It will remove for many contractors the element of unfair competition now suffered by them through the employment by others of cheap alien labor. The contractor in New York or Massachusetts, for instance, to-day gets his craftsmen from a stable labor market. When he bids he figures on a known labor supply and he knows its cost. He does not employ bootleg labor at cut rates. He can not. The adoption of this proposal would put every contractor on an equality as far as the employment of citizen labor is concerned. The competition between con-

tractors would be limited to the economy and efficiency of their purchasing, managerial, and supervisory organizations;

That the operation of the proposed preference policy could be satisfactorily adjusted from time to time to meet changing economic and unemployment conditions for the country as a whole and for sections of the country where there may be a scarcity of labor; and

That the President has ample authority to direct the promulgation of such a preference policy in the form of a stipulation in the Government construction contract form.

The text of the stipulation for incorporation in the Government construction contract form is as follows:

ARTICLE —. The labor under this contract, whether employed by the contractor or his subcontractor at the site of the work, shall be limited, where possible, (1) to citizens of the State in which the work is performed, and (2) to citizens of the United States, preference being given in like order to ex-service men of the United States Army, Navy, and Marine Corps, when such qualified labor may be obtained at rates not in excess of the prevailing wages for the respective classes and mechanical trades: *Provided*, That the term "labor" as herein used shall not include the contractor or subcontractor's foreman and other supervisory and/or managerial officers and employees: *And provided further*, That the contracting officer or his representative shall be authorized to require the contractor and/or his subcontractor to discharge any laborer at the site of the work.

The full text of the memorandum to the President and the letter to the Secretary of the Treasury follow:

WASHINGTON, D. C., *August 6, 1930.*

Memorandum for the President.

Re: Insertion in the standard Government construction contract of the following stipulation.

"ARTICLE —. The labor under this contract, whether employed by the contractor or his subcontractor at the site of the work, shall be limited, where possible, (1) to citizens of the State in which the work is performed, and (2) to citizens of the United States, preference being given in like order to ex-service men of the United States Army, Navy, and Marine Corps, when such qualified labor may be obtained at rates not in excess of the prevailing wages for the respective classes and mechanical trades: *Provided*, That the term "labor" as herein used shall not include the contractor or subcontractor's foreman and other supervisory and/or managerial officers and employees: *And provided further*, That the contracting officer or his representative shall be authorized to require the contractor and/or his subcontractor to discharge any laborer at the site of the work."

PRELIMINARY STATEMENT

Pursuant to your request to me at the interview you so graciously accorded me on July 29, 1930, I submit above a proposed stipulation to be incorporated in construction contracts of the United States, together with a statement (1) as to the present legal requirements in the formation of contracts on behalf of the United States; (2) the policy of the various States as incorporated in their law; (3) the policy of a number of foreign governments; and (4) the reasons of public policy which seem to not only support but demand that such a stipulation be incorporated in Government construction contracts.

President Coolidge prescribed on November 19, 1926, standard Form No. 23, standard Government form of construction contract, and on June 10, 1927, he prescribed standard Form No. 32, standard Government form of supply contract for uniform use throughout the Government service. Prior thereto there were in use different forms of contracts in the various departments and establishments of the Federal Government, and in some of the departments, particularly in the War and Navy Departments, there were in use as many different contract forms, with different terms and conditions, as there were different bureaus in the departments. The presidential requirement for using uniform and standard forms of contracts was a great step in advance in the matter of securing uniformity of decisions in the courts and in the General Accounting Office, enabling both the contractors and the administrative officers of the Government to readily apply these decisions, and in removing harsh and unnecessary burdens on the contracting industry which directly led to increased cost in the performance of public work.

These standard forms are now under process of revision in the Bureau of the Budget for presentation to the President for the promulgation of a revised standard Government construction and supply contract form, and there has been approved a paragraph for inclusion therein, designed to give preference to domestic material in both the construction and supply contracts. The paragraph which is herein proposed would require the contractor to give similar preference to American labor.

I. PRESENT LEGAL REQUIREMENTS IN FORMATION OF CONTRACTS ON BEHALF OF THE UNITED STATES

The term "formation" herein is used in the sense of the steps, or procedure necessary in prescribing specifications for Government construction work; securing bids on such specifications; and the actual reduction of the agreements so reached to the terms of a written contract, fixing the rights and obligations of both the Government and the contractor.

When this subject is examined, it will be found that there are surprisingly few statutory requirements in the matter. At the basis is the prohibition in section 3732, Revised Statutes, that no contract or purchase on behalf of the United States shall be made unless the same is authorized by law, or under an appropriation adequate to its fulfillment, except certain minor instances in the War and Navy Departments. After the contract has been authorized, there is section 3700, Revised Statutes, whose history may be traced to an act of Congress in 1809, which provides in pertinent part that:

"All purchases and contracts for supplies or service in any of the departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposal respecting the same when the public exigencies do not require the immediate delivery of the articles, or performance of the service."

It will be noted that there is nothing in this section which prescribes the content or requirements of the Government advertisement or specification, nor is the omission supplied elsewhere in the statutory law of the United States. However, the Comptroller General of the United States has held in numerous decisions that the specifications must state or describe the actual needs of the service and permit free and full competition therein. Also, that there must be stated the factors which are to be taken into consideration if some elements—such as shortness of time or quality, etc.—other than price is to be taken into consideration in the acceptance of proposals. Both the Comptroller General and the Attorney General have held that the contract entered into must be the contract offered to all bidders by advertisement. These are salutary decisions in the interests of both the Government and competing bidders as well as protection of public officers from charges of favoritism, etc.

There are comparatively few statutory requirements as to the contents of the contract to be entered into after a proposal has been accepted. One provision is that no Member of the Senate or House shall be interested in the contract (sec. 3741, Rev. Stat.); that in the Treasury Department a stipulation for liquidated damages shall be included in certain construction contracts (act of June 6, 1902, 32 Stat. 326); that no laborer nor mechanic shall be employed more than eight hours a day except in time of war or other emergencies (act of June 19, 1912, 37 Stat. 127); that contractors shall give bond for faithful performance of the contract and for payment of material, men, and labor (act of August 13, 1894, 28 Stat. 278, as amended 32 Stat. 811); and that no contract shall be entered into for material or supplies made by convict labor (act of April 28, 1904, 33 Stat. 435).

Furthermore, all contracts for the War, Navy, and Interior Departments are required by section 3744, Revised Statutes, to be reduced to writing and signed by the parties with their names at the end thereof. Subsequent statutes have created exceptions to the above where the purchase is for small amounts, generally less than $500.

It will be noted that all of these provisions are restrictive ones. They proceed on the theory that the authority of the President and/or his subordinates authorized for that purpose in the various departments and establishments of the Government have plenary power to contract on behalf of the United States, and that on grounds of public policy it is necessary to restrict their powers to the extent of requiring them to advertise for proposals preliminary to contracting on behalf of the Government, and to the extent of requiring them to insert certain stipulations in the contract. After the contract has been specifically authorized by law, or appropriations are available therefor, these officers otherwise have unlimited authority to prescribe the terms and conditions of public contracts.

It was obviously on this theory of the law that the President promulgated the standard Government forms of construction and supply contracts and included therein many other stipulations than those directed in the statutes to be included. It was obviously on this theory of the law that the Comptroller General, in effect, gave his approval in a letter dated July 19, 1930, to the Director of the Bureau of the Budget to the inclusion of a stipulation requiring the contractors to give preference to domestic material. It is also on this theory that it is urged that the above quoted stipulation be included in the revised standard Government construction contract form, requiring Government contractors to give preference to labor as therein stated.

II. THE LABOR POLICY OF THE VARIOUS STATES AS INCORPORATED IN THEIR CONTRACTS

Several States and the Territorial jurisdiction of Hawaii have enacted laws limiting the right to labor to citizens or requiring preference to be given to local citizen labor. This type of legislation falls into three classifications: First, those laws giving preference to local contractors, local material, or locally manufactured products; second, those laws giving preference to one type of workmen over another; third, those laws limiting the right to work on public contracts to certain workers, principally because of their citizenship. We are not herein concerned with the first and second preferences. Those States having laws limiting the right to work on public works to certain workers are:

Arizona: Revised Statutes of 1913, section 3105 (limited to citizens or wards or persons who have declared their intentions to become citizens of the United States).

California: Acts of 1915, chapter 417, amended by acts of 1921, chapter 366 (limited to citizens of the United States in cases of employment by the State, county, and city government).

Hawaii: Revised Laws, 1925, chapter 172 (limited to citizens of the United States or persons eligible to become citizens); amended laws 1925, No. 231.

Idaho: Compiled Laws, 1919, section 2323 (limited to citizens of the United States or persons who have declared their intentions to become such).

Louisiana: Acts of 1908, No. 271 (limited to citizens of Louisiana and who have paid their poll tax).

Massachusetts: General Laws, 1921, chapter 149, section 266 (first preference to citizens of the State who have served in the Army and Navy of the United States in time of war; second preference to citizens of the State generally, and if they can not be obtained in sufficient numbers, then to citizens of the United States).

Nevada: Revised Law of 1919, page 2965 (limited to citizens or wards of the United States or persons who have declared their intentions to become citizens).

New Jersey: Compiled Statutes of 1910, page 3023, section 15 (limited to citizens of the United States).

New York: Laws of 1921, chapter 50, section 222 (preference to citizens of the United States, as amended by chapter 689, section 1, Laws of 1930).

Oregon: Laws of 1920, sections 2995–3000 (limited to persons other than Chinese laborers and "any alien, whether declarant, or otherwise, who claimed and was granted exemption from military service in the war with Germany").

Pennsylvania: Statutes of 1920, section 18268 (limited to citizens of the United States).

Washington: Acts of 1919, chapter 111 (limited to others than aliens, whether a declarant or otherwise, who claimed and were granted exemption from military service in the war with Germany on the ground that they were not citizens of the United States).

Wyoming: Constitution, article 19, concerning labor (limited to citizens of the United States or persons who have declared their intentions to become citizens).

III. THE POLICY OF SOME OF THE FOREIGN GOVERNMENTS WITH RESPECT TO THEIR PUBLIC CONTRACTS

Volume 2, Immigration Laws and Regulations of the International Labor Office at Geneva, 1928, pages 185 to 243, inclusive, deals with this question. It is there stated (p. 185 et seq.) that the regulations governing the employment of aliens—

"* * * have one and the same aim and are intended, by the introduction of State control over the employment of alien workers, to give the governments the necessary power to restrict or to facilitate such employment according to the actual national requirements for labor in any given trade or occupation.

"The numerous provisions embodied in the regulations may be divided into four main classes: (1) Provisions wholly or partially prohibiting the employment of alien workers; (2) provisions respecting compulsory labor permits; (3) provisions respecting change of trade or occupation; (4) provisions intended to restrict the number of aliens employed in any given trade or occupation."

It is also stated in this report (pp. 213, 214) that—

"Many countries have instituted a system of control over the conditions in which alien workers are engaged by undertakings in the country.

"This supervision has several aims, the first being to provide equality of treatment for alien and national workers and to avoid unfair competition by cheap alien labor which might result in lowering the standard of conditions attained by national workers. For similar reasons the laws generally prevent the engagement of alien workers from affecting the normal course of labor disputes during strikes and lockouts.

"Another aim of this system is to see that aliens do not receive preferential treatment to the detriment of the national worker. In order to guard against the possibility of the national worker being thrown out of employment in moments of economic stress on account of long-term engagements concluded with alien workers, contracts made with the latter are usually of but short duration. Hence it is that the engagement of aliens for agricultural work is as a rule of a seasonal character."

The Department of Commerce reported July 12, 1930, that it had been:

"Unable to find any instances of European legislation prohibiting the employment of foreign labor on public works. The need for such legislation does not arise because all immigration of alien laborers is closely restricted, usually on the basis of allowing entry only on the basis that no local employee can be found. Prevailing heavy unemployment in Europe has made enforcement of all measures particularly strict, even in the cases of France and Belgium. Where there has been a shortage of labor, admission of foreign workers is closely supervised and permits of entry are nominally limited to a particular job for a definite period.

"For the Scandinavian countries we have no definite information, although it is known that entry is prohibited except in cases where qualified local labor is not available."

As will be noted from these brief extracts—and as clearly shown from the extracts of the laws of the various countries referred to in this publication of the International Labor Office at Geneva—a great many of these foreign governments go much further than it is contemplated the United States shall now go; but unless relief is brought to the existing situation—where there is much unemployment—we may expect drastic legislation at an early date.

All of these foreign countries not only prohibit aliens from working on public projects but such countries prohibit the aliens from working for private persons in the event there is economic depression and not enough work for their own citizens.

Surely, the above referred to statutes of the various States are not unjust in excluding aliens from public work, whether the work is done by the State or by contractors when the preference for American labor is measured by the attitude of foreign governments toward their own citizens and the exclusion of aliens. Nor is the exclusion of aliens from Federal projects unjust or contrary to the policy of nations when American citizens are not only available but willing and eager to perform the work.

IV. THE PUBLIC POLICY OF THE EXCLUSION OF ALIENS FROM PUBLIC WORKS WHEN AVAILABLE AMERICAN CITIZENS CAN BE OBTAINED

Aside from any arguments of political expediency in the exclusion of aliens from public works when American labor is available—and this expediency is of much more importance than generally considered—the first duty of a government is to its own citizens and particularly to its defenders on land and sea. There are various statutes of the United States giving preference to citizens and ex-service men for employment by the Government itself, and there is no sound reason why such preference should not be shown on public works of the United States even though the work is performed indirectly through the medium of an independent contractor, assuming always that American citizens are available and qualified to work at not exceeding the prevailing rate of wages.

It creates great social discontent when ex-service men and other American citizens are willing to work and have that work refused them because aliens may be obtained at less than the prevailing scale of wages. They see these aliens taking the jobs which are needed to feed the American citizens and their families and to support local industry. This discontent is increased to a dangerous point during periods of economic depression—such as we now have—when they see these aliens not only taking their jobs for which American citizens are taxed to supply the money, but these aliens spending as little of their earnings in this country as possible, sending the remainder to Europe.

The contractors are not to blame for the existing situation. Competition forces the price of the contract work down as low as possible, and the only possibility of a contractor securing a public contract is to underbid his competitors. Labor is one of the greatest items of cost entering into any construction project. Quite naturally, and from a good business standpoint, the contractor endeavors to secure his labor as cheaply as possible, and thus uses alien labor or imported labor to force down the prevailing scale of wages. The local American workman not only suffers, but the suffering is all along the line, from the groceryman to the apex of the industrial scale. The governments—national, State, and municipal—suffer from reduced revenue. There is no end to the vicious circle, unless the Federal Government will take action to stabilize the situation by protecting both the contractor and American labor.

The insertion of the above-quoted stipulation in the invitation for bids, so that all prospective bidders may be fully informed, and the inclusion of the stipulation in the Government construction contracts will to a large extent stabilize labor conditions among Americans and competition between contractors by requiring the successful bidder to use the labor of the State in which the work is performed when same can be obtained at the prevailing rate of wages in preference to alien labor. If this can not be done, then he must use American citizens from any section of the country in preference to aliens.

At the same time, this requirement would not prevent the contractor from bringing to the work his managerial, supervisory, and purchasing staff. It will tend to real competition between contractors on the basis of economy and efficiency in work. No longer could a contractor underbid because he may rely on cheap alien or floating labor, leaving a great social problem on account thereof at the conclusion of the work. Each bidder will be on an equality in bidding, for each would know that their cost of labor must be computed on the basis of the prevailing scale of wages, and their competition would be limited to the economy and efficiency of their purchasing, managerial, and supervisory organizations. This would go a long way toward stabilizing the construction industry and would tend to weed out those inefficient contractors whose operations nearly always result in great social losses.

The United States Commissioner of Labor Statistics, Department of Labor, has stated that the agreement to give preference to American labor as substantially stated in the above proposed stipulation:

"* * * would not involve any hardship on bidders because of the diversity of wage rates in the various parts of the country. Any contractor desiring to bid on a job anywhere can secure without cost from the United States Bureau of Labor Statistics the local wage rates both for common labor and for building trades in any State and for the principal cities in any State."

It may be and doubtlessly will be true that the immediate and direct cost of public works will be more under the proposed plan. But the present cost has already been increased by the requirement that the contractor give a bond for the protection of material, men, and labor; by the requirement that he refrain from the use of convict labor; by the requirement that he work his men only eight hours a day; and by any other requirement restricting his right to perform the work in any manner he pleases so long as he may complete the work in accordance with

his contract specifications. However, few, if any, will say that these requirements are not in the interest of society as a whole, and that the resulting benefits largely exceed their costs. It is believed that the same is true in an even larger measure of the proposed restriction on the contractor as to the employment of labor. The contractor knows before he submits his proposal of the restrictions now imposed and is able to compute and file his proposal accordingly. Likewise he will know of the proposed restriction and he can make the needed allowances in his bid with the assurance that local labor can not gouge him by local increase of wages, because he has the alternative of securing American labor elsewhere in such event.

CONCLUSION

It may be argued that legislative authority—similar to that of the various States and foreign governments—is required before the President can direct that the proposed stipulation be made a part of the general construction contract. If so, it is believed that such an argument is unsound. As hereinbefore pointed out, the theory of the Federal law since the First Congress in 1789 is that the President and/or his authorized subordinates have full authority to contract on behalf of the United States within the limits and subject to the terms of the appropriations made from time to time, and that it has been necessary and desirable from time to time to limit this authority in the cited particular instances. No such limitation exists in the law preventing the President from directing the Government construction contracts to contain a stipulation that the contractor must give certain preferences to American labor. It would seem to necessarily follow that under existing law he has the right to direct the inclusion in Government contracts of a stipulation giving such preference.

The only pertinent question is whether such a preference is in accord with public policy and will further the welfare of the American people. It is firmly believed that this question must be answered in the affirmative.

The alternative to such a requirement is that undoubtedly there will be a combination of ex-service men organizations and the labor organizations to force into the law such a preference. The legislative history of the matter to the present time is enough to demonstrate that such a law will go much further than the suggested requirement; furthermore, there will be the added disadvantage of the inflexibility of a statute, while this proposed contract stipulation can be adjusted from time to time to meet changing economic and unemployment conditions for the country as a whole and for sections of the country where there may be scarcity of labor.

ROBERT L. BACON.

WASHINGTON, D. C., *July 9, 1930.*

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: The burden of this letter to you, stated shortly, is really a plea on behalf of American-citizen labor affected by the public-works program of the Treasury Department. Of course, its persuasion, if there is any, likewise runs to the entire public-building program of the Government.

Your department and other bureaus of the Government are projecting construction works that run into the hundreds of millions of dollars. Its purpose is twofold: To have our varied governmental activities housed in an economical way, and to afford a direct, tangible, and concrete aid to labor, suffering as it is from unemployment. While tremendous benefits to labor will flow from the processes of manufacture that will be applied to this construction program, the direct aid to labor, in the employment of craftsmen in the physical work of construction itself, will be, in a great measure misspent, or the benefits will not be applied as beneficially as they should be.

It would seem natural that the labor employed on this construction program should certainly be drawn from the citizen supply first; and, secondly, from the local supply where possible. But in many cases it is not, and what is still more aggravating is the fact that various kinds of craftsmen who are citizens and ex-service men, in need of jobs and capable, are placed in the position of envious and disgruntled onlookers—without the gate—while aliens preempt the benefits that flow from the work. I have in mind an instance brought to my attention on yesterday in connection with the construction program of the War Department at Mitchel Field, Long Island. In this case 25 ex-service craftsmen—carpenters and the like—were refused employment because the demands had been filled with importations of aliens, at ridiculously low wages, from the city of New York.

And, generally, touching the Government-construction program as a whole, and particularly with reference to the erection of post offices, customhouses, marine hospitals, Federal courts, and other governmental activities throughout the country, there is the same complaint. I have heard it from many of my colleagues in the House. Local or State labor is not used. The alien often gets the preference over the citizen simply because he is cheap. The contractor assembles his workmen wherever he can get them provided they are cheap. I am told they have come to some of the sites in box cars, and they are housed near the site in portable buildings until the work is finished, then either taken to other places or left to shift for themselves.

I have heard of instances in connection with post-office buildings in the Middle West, in Pennsylvania, and elsewhere; and also on Long Island, in the construction of a Veterans' Bureau hospital, where the contractor recruited his labor from remote points, bringing it to an already demoralized labor market and leaving the local labor supply in the rather sorry position of spectators. Even in the erection of a Veterans' Bureau hospital an ex-service man can not to-day get a job if the contractor wills that cheap aliens should fill his rolls.

These citizens and ex-service men are puzzled, to say the least, as to the justice of such a policy. They wonder if the building program is for the benefit of the citizen or the alien. They know that the Treasury Department lets the contracts and it is natural for them to presume that the Federal Government lends its approval to such rank discrimination. They can not appreciate why the citizen and the ex-service man should not receive preference in Government construction work the same as he does in the work of the civil service. They have been told that the Federal Government is bending its full efforts to relieve unemployment, and what they receive when they ask for jobs is a dismissal with the explanation that aliens are on the pay roll.

I do not want to be in the position of suggesting a criticism without also suggesting a possible remedy. My definite suggestion for the consideration of your department is that the specifications include a clause that the labor to be used in the performance of the work shall be citizen labor, and that it is the policy of your department to have contractors on construction work to give preference to ex-service men and citizens of the State or locality where the work is to be performed, provided that such citizen or State or local labor is available. This limitation is, of course, sufficiently flexible.

The adoption of such a clause would merely tie in, as a part of the specifications, the requirement that citizen labor shall be used wherever possible; the preference to ex-service men would be merely declaratory policy, but I believe it would be effective. Naturally I am not concerned with the precise form the objective should take. Any would be most agreeable. Should, perchance, legal obstacles definitely preclude the adoption of any such clause as part of the contract, then it is my suggestion that the Treasury Department declare as its policy that the labor to be employed on its construction work should be, as far as possible, citizen labor drawn from the State or locality where the work is to be performed and that preferences shall run, first, to ex-service men; second, to citizens of the State or locality where the work is to be performed; third, to citizens of the United States; and fourth, to aliens.

The practical effect, I feel sure, would be that contractors in submitting their bids would have in mind the employment of citizen local labor. The cost to the United States would, of course, be greater; but the advantage to the public and to American labor directly affected and in meeting properly the unemployment problem would greatly outweigh the pecuniary disadvantage. The consideration for the requirement would be the stabilization of the local supply—a tremendously important factor.

The part that the Federal Government has taken as a quiet partner in the disruption of stable labor conditions has long been a matter of concern to me. In three successive Congresses I have introduced a measure which enunciates the policy that the Federal Government under its building-construction program should not become a party contributing to a State's unemployment problem or to upsetting its stable labor conditions, which at present it does by the simple act of taking the lowest bid, without further regard to the effect on the labor or unemployment problem.

It is not necessary, having in mind the more restricted object of this letter, to burden you with a full résumé of the purposes of my proposal. When all the points in this bill are simmered down, it will be seen that its aims are to assure against a monopoly of the benefits of labor by a special few and to give a fair and equal and benefiting distribution of these benefits to all of the labor in every State of the Union, but first of all to veterans of our wars and citizens of the United States. It declares in practical effect the policy that no contractor shall bring with him on a Federal construction job a cheap, itinerant, bootleg-labor supply when unemployment exists among the qualified citizens of the State where the work is to be performed. It declares for the principle also that on American institutions American labor, citizen labor, shall have the first preference. That is how it touches labor.

In its effect on contractors the bill does nothing more than to put them all on a fair competitive basis, and this result is secured by preventing a contractor from taking advantage of an imported labor supply, gotten together at cheap prices, and using that advantage to club his way to the top of the list as the low bidder. By restricting the use of imported labor, all contractors would immediately be put on an equal and fair competitive basis, and the present discrimination against those contractors not using this cheap, imported supply would be eliminated. Using local labor and practicing the belief in the wisdom of meeting the local labor conditions, these contractors can not successfully compete.

This measure of mine was twice favorably reported by the Labor Committee of the House, but in this Congress another bill was favorably reported which, as you know, goes very radically further.

I know I can feel the assurance that you will give this problem your earnest consideration. We are faced with unemployment. The Federal Government, under the direction of the President, has taken the lead in efforts to help minimize its results. It has put in motion a vast public-building program to help relieve primarily not the Treasury but unemployment; yet it has permitted itself to become a partner in approving a policy as to labor on Government works that is not countenanced by many of our States and by some foreign countries, of permitting the employment of aliens in preference to citizens. Certainly the efforts of

the Government are directed for the benefit of its citizens first, or, rather, they should be.

There may be some confusion as to how far the Federal Government may go without express authority of law in the enunciation and practice of a policy that will result in the preferment of American-citizen labor in the State or locality where the work is to be performed. But, fundamentally, there should be none. That such a policy would be salutary I have no doubt. And it is my hope that you will lend of your cooperation in the establishment of it.

Such a policy, adopted now, at a time that is most ripe for it, would undoubtedly make unnecessary some of the measures that have been introduced in Congress and which go much further in their aims, and as to which there may be considerable conflict of opinion, irrespective of what view may finally obtain as a matter of law.

I have written to the Secretary of War similarly.

With expressions of high regard, I am, sincerely yours,

ROBERT L. BACON.

The membership of the House may also be interested to know that there is at present a bill before the House, introduced by me, which in the aim of its results is practically on all fours with the proposal outlined in my memorandum to President Hoover. A similar measure was introduced by me in the Seventieth Congress and also in the Sixty-ninth Congress. In both of these Congresses the measure was reported unanimously by the Labor Committee of the House.

Its terms are:

[H. R. 7995, Seventy-first Congress, second session]

A bill to require contractors and subcontractors engaged on public works of the United States to give certain preferences in the employment of labor

Be it enacted, etc., That the first sentence of the act entitled "An act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes," approved June 19, 1912, is amended so as to comprise several sentences, to read as follows:

"That every contract to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, or any Territory, or said District, which may require or involve the employment of laborers or mechanics shall contain a provision—

"(a) That no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated shall be required or permitted to work more than eight hours in any one calendar day upon such work;

"(b) That, in the employment of laborers or mechanics by any such contractor or subcontractor to perform any part of the work contemplated by the contract, preference shall be given in the following order:

"(1) To citizens of the United States and of the State, Territory, or District in which the work is to be performed who have been honorably discharged from the military or naval forces of the United States, and who are available and qualified to perform the work to which the employment relates;

"(2) To citizens of the United States who are bona fide residents of the State, Territory, or District in which the work is to be performed and who are available and qualified to perform the work to which the employment relates;

"(3) To citizens of the United States;

"(4) To aliens.

"(c) That the contractor or subcontractor shall by advertisement and through employment agencies give effect to the preferences under paragraphs (1) and (2) of this section before employing any person under paragraphs (3) and (4) of this section.

"(d) That every such contractor or subcontractor shall keep a list of the names of the laborers and mechanics employed by him upon such work, setting forth their citizenship and place of residence. Such list shall be available for examination by any officer or employee of the United States. Every such contract shall stipulate a penalty for each violation of such provisions in such contract of $5 for each laborer or mechanic for every calendar day in which he shall be required or permitted to labor upon such work in violation of such provisions. Any officer or employee designated as inspector of the work to be performed under any such contract or to aid in enforcing the fulfillment thereof shall upon observation or investigation forthwith report to the proper officer of the United States, or of any Territory, or of the District of Columbia, all such violations of the provisions of this section directed to be made in every such contract, together with the name of each laborer or mechanic who has been required or permitted to labor in violation of such provision and the day of such violation. The amount of the penalties imposed according to the stipulation in any contract to which the United States, any Territory, or the District of Columbia is a party, and every such contract made for or on behalf of the United States, any Territory, or the District of Columbia shall be directed to be withheld for the use and benefit of the United States, the Territory, or the District of Columbia by the officer or person whose duty it shall be to approve the payments of the money due under such contract, whether the violation of the provisions of such contract is by the contractor or any subcontractor."

SEC. 2. Any amendment made by this act to such act of June 19, 1912, shall not apply to any such contract made prior to the enactment of this act.

I am confident that the issue, sooner or later, will have to be definitely settled. There is an option as to the way in which it shall be met. The policy can be enunciated as a mandate from the Congress or it can be provided as an administrative action on the part of the Executive. For ease of bringing it into effective operation I prefer the administrative method, because I am fearful that the present injustices caused by the lack of corrective policy may continue for a considerable time before Congress may agree on the form of the legislation.

THE PASSAGE OF THE BONUS BILL

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD as indicated by the request I made earlier in the proceedings to-day. The gentleman from Mississippi [Mr. RANKIN], who objected at that time, has withdrawn his objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MURPHY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following excerpts from the Stars and Stripes of Saturday June 5, 1920:

BONUS BILL PASSES HOUSE AFTER STRENUOUS FILIBUSTER—FEW OPPOSED ON FINAL VOTE—MURPHY'S LONE FIGHT FORCED ACTION—DEMOCRATS FOUGHT FOR PROFITS TAX—MEMBERS HISS, CHEER, AND SHOUT DURING DEBATE

HOUSE VOTES TO ADJOURN JUNE 5

The House of Representatives early this week voted to adjourn to-day, and it is likely the Senate will take the same action. It is understood President Wilson may call Congress in extra session July 19 should there be an adjournment.

After many months of discussion, wrangling, and delays the soldiers' bonus bill passed the House of Representatives on Saturday, May 29, by a final vote of 289 to 92. On the final vote most of the Democrats and Republican insurgents, who fought against passing the bill under "suspension of the rules," without amendment or freedom of debate, voted for the bill. The final opposition came from 40 old-guard Republicans and 52 Southern Democrats. Fordney led the bonus advocates, with GARNER, of Texas, leading the opposition. The parties were split every which way.

Generally speaking, the Republican organization was for the bill as it stands, being the final draft by the Ways and Means Committee. Generally speaking, the Democrats declared it was a rotten bill with rotten taxing provisions, and they fought hard for a chance to amend it so as to include a tax on war profits, but, failing in this, they voted for the bill as "the best bonus bill we can get under the circumstances."

A HARD BATTLE

A long fight preceded the passage, being on the Republican rules committee and steering committee plan to suspend the rules, limit debate, and prohibit amendments. This prevailed by the narrow margin of 192 to 189, insurgents and Democrats opposing. Then the bonus went through after a brief hour of debate.

Another friend of the soldiers developed in the House before the bill was brought up for discussion. Representative FRANK MURPHY, of Steubenville, Ohio, a new and heretofore inconspicuous Member, actually forced consideration by the House. On the day preceding its consideration Mr. MURPHY announced that he would block all business until Republican leaders announced definitely when the bonus bill would be brought up. And he carried out his assertion so thoroughly that the leaders told him the bill would be considered immediately if he would permit other routine business to be disposed of.

So it was that a single Congressman from the Middle West, a novice in parliamentary procedure, and bothering not about form or precedents, actually forced the Republican leaders to permit the House to consider the bonus bill.

SENATE DOUBTFUL

Whether the measure will ever be considered by the Senate is not forecast, although the staunch advocates contend that it will be considered shortly after the Senate returns from the convention recesses, while others insist that the bill is dead right now.

Representative KING SWOPE, of Kentucky, opened debate on the bonus bill. He was a captain in the Army and from him the House learned of the real poverty which existed among bucks when the allotments, insurance, Liberty bonds, and court-martial fines were deducted from their meager pay.

"I know from personal experience and contact with my own men," he said, "that a bonus is wanted. The enlisted men never did feel that the pay was adequate. As a company commander it was my duty to pay off each month, and it was actually pitiful to see scores of men receive only $5 or $6 for their month's service after their insurance and one or more allotments, such as class A and class B, had been deducted. And yet during all that time the slackers and profiteers were becoming rich and the cab drivers and hod carriers, and ditch diggers, the section hands, and

all other kinds of unskilled labor were making three or four times as much every day as the American soldiers who worked, fought, bled, or died whenever duty called. Civilians received an annual bonus of $240 and they were already getting three or four times as much as the soldiers. As a matter of fairness, the service men are entitled to adjusted compensation and this Congress should not refuse it."

HOUSE ON RAMPAGE

Then followed a series of short speeches, most of them in favor of the bonus, speeches of a half a minute in which a Member arose in his seat, said three or four words, and then sat down, but to the constituents will go impassioned speeches, thousands of words in length and which will be used as campaign material.

The House during passage of the bill acted more like a bunch of soldiers on pay day, or a crowd of doughboys waiting at a station for a leave train. There was little serious consideration given to the speeches. Every Member had resolved in his own mind whether he would favor or oppose the bill. Patriotic speeches and pithy references to the American flag didn't change many votes. Rather the orators were guffawed or hissed according to their popularity.

One member draped himself over the pedestal from which prepared speeches are delivered. He struck the true congressional pose. He started on a terrifically heavy speech, but he hunched his shoulders and leaned over the pedestal.

"Snap into it," shouted a Democrat. "Click those heels together and suck in them thumbs." The speaker was startled. Then he appreciated the Army eloquence and continued his speech, but he stood erect, spoke evenly, and finished quickly.

Members would gallop across the pit of the House, picturing American "soldier lads, whose hearts beat true," dying in the muddy trenches, and then they would yell a flowery condemnation on the heads of those who didn't favor the bill.

"Louder," would be the chorus from a score of listeners, and then the speaker would be interrupted by laughter and hilarity, which could not be stilled by even the speaker.

TAXES OPPOSED

Much of the opposition to the bill in its present form centered around the taxing provisions, which Democratic Members contended were put in by the Republicans to make the bill unpopular and to bring protests from civilians and others who would be compelled to pay most of the taxes.

The Democrats favored inclusion of a tax of 80 per cent on the profits of individuals and concerns during the war, but the Republicans would not give heed to such a plan, with the result that it was not included in the bill. The Democrats claimed the bill "would put the taxes on the backs and bellies of the American people" and not on those who could most easily bear it.

Others attacked the cash feature of the bill, asserting that former service men were unwilling to accept money in exchange "for patriotic services during the period of national peril," but such arguments were immediately hooted down or jeered until the Member ceased speaking.

Representative Humphreys, Democrat, Mississippi, characterized the procedure as "the most hypocritical performance" ever witnessed in the House. The purpose of jamming the bill through at this time, he declared, was to permit Republicans to go out on the campaign tours this summer and announce: "Well, we voted for a bonus, and then, he said, they would wink at those who are opposed to the bill.

WHO THE HELL IS MURPHY, ASKED OLD GUARD GANG

"Who the hell is Murphy?" asked the Congressmen lined up in opposition to the soldiers' bonus. To-day the same question is being asked by four and a half million ex-service men, but for a different reason; because MURPHY led the filibuster for the bonus bill which was passed Saturday morning, May 29.

The course of the various bills and their final merging into the so-called soldiers' bonus bill is so well known that the details need not be mentioned here. The course of the final bill, however, and the methods used by the opposition to bury it beyond recall, also the details of the fight which carried it to a successful issue in the House, together with the names of the Representatives concerned will interest all ex-service men.

At the second caucus held by the Republican Members two weeks ago it was voted to bring before the House the revised bonus bill and to support and pass it before the close of the present session. The vote stood 154 for the bill and 39 against. The leaders of the opposition occupied high places in the circles of the party, and they ignored the vote and stifled the action of the majority, introducing such a volume of legislation that it seemed well-nigh impossible to bring the bonus bill up for action before the recess. In other words, the minority, by political generalship, overruled the majority and the bill was considered dead and buried.

ENEMIES ORGANIZE

The three arch enemies of the bonus, ALLEN T. TREADWAY, of Massachusetts; JOHN Q. TILSON, of Connecticut; and Samuel E. Winslow, of Massachusetts, met the Ways and Means Committee and the Republican leaders and were able to corral 49 Republicans who would vote against bringing the bill before the House. The result of this surreptitious meeting and the continued opposition tactics of the "battalion of death" actually overturned the vote of the Republican caucus, the majority therewith giving up the fight.

As a last measure, in the nature of a forlorn hope, King Swope, the youngest Member of Congress, an ex-soldier from Kentucky, in company with LOUIS C. CRAMTON, of Michigan; Joseph W. Fordney, of Michigan; Florian Lampert, of Wisconsin; JOHN G. COOPER of Ohio; and B. FRANK MURPHY, of Ohio, waited on the Republican leaders, and, after a heated session, were promised that the bonus bill would be brought up for action before the House on Thursday, May 27.

Not satisfied with the half-hearted acquiescence of the Republican leaders, and deciding that if the usual opposition maneuvers should begin on Thursday he would go it alone and start a filibuster in favor of the bill, MURPHY, of Ohio, began a recruiting campaign for support. He first approached CRAMTON, of Michigan, who promised aid; then he lined up Member after Member until he felt sure that he would be able to carry out the filibuster if it was found necessary to do so.

MURPHY STARTS

The House met at noon Thursday, and as there was no action in reference to the bonus bill on the part of the steering committee or the Rules Committee, and as Chairman Porter, of the Foreign Relations Committee, started to bring up the consular and diplomatic appropriations bill, Congressman MURPHY began his filibuster by suggesting "no quorum." From then on, with the assistance of Congress CRAMTON on Friday afternoon, when Mr. MURPHY was about exhausted because of continued exertion, this quiet but determined soldier's friend from Ohio beat down all attempts at legislation, declaring that until the bonus bill was passed nothing else should pass. Then it was that the opposition asked, "Who the hell is MURPHY?"

Everything under the sun was brought up for action, only to go down under MURPHY'S objections. REED of New York brought up the question of the coal shortage; Green, of Iowa, tried out the bill to amend the personal-service corporation provisions of the revenue act of 1918, and that the House resolve itself into the Committee of the Whole House on the state of the Union; MURPHY objected. TREADWAY, the most insistent and persistent enemy of the bonus bill, tried to shut off the filibuster by advancing the Federal employees' act concerning an increase in pay for postal employees.

STOPS TREADWAY

Mr. MURPHY blocked this move; thereupon TREADWAY said: "I desire to add one statement, and that is that there is to be a convention of postal employees in Springfield, Mass., on Sunday next, to which many of us have been invited, who are detained here by our duties. I trust that there may be some word go forth to these employees of favorable action on their request by this House."

Mr. MURPHY replied to this: "I move to strike out the last two words. Mr. Chairman, I make this motion for the purpose of asking the gentleman, who is on these powerful committees of the House, if legislation to pay the postal clerks, which is so highly needed, is going to be brought into this House before the soldiers' bonus bill?"

"As far as I am concerned," TREADWAY replied, "I have nothing to do with what may be presented to the House, but am urging legislation in behalf of the postal employees."

"I will say," retorted Mr. MURPHY, "that I am in favor of the postal clerks being well paid, but I shall object to everything until the soldiers' bonus bill is given consideration on the floor of the House."

PRAYERS DELAYED

Mr. MURPHY did as he said. He even objected to listening to the good old Chaplain pray the next morning until a quorum was present; so prayers were held up until the fighting Congressman from Ohio had his way. The filibuster was carried on all day Friday, despite the most clever political and parliamentary moves the forces of the opposition could bring forward. CRAMTON came to the relief of Mr. MURPHY during part of the afternoon, and then it was that the leaders of the opposition got after Mr. MURPHY and threatened him with political annihilation and made every endeavor to have him stop the filibuster and let the bonus bill die.

Finding the Ohio Congressman obdurate and unflinching in his advocacy of "a little justice for the boys who saved the millionaires' millions for the millionaires," the opposition weakened and Congressman Good, of Iowa, chairman of the Committee on Appropriations, came to Mr. MURPHY as an emissary of Mr. TREADWAY and gave his solemn promise that the bill would be brought before the House the next (Saturday) morning. Right there the filibuster came to an end.

ALL LINE UP

Saturday at noon, May 29, 1920, under suspension of the rules, the bill was brought up and passed by a vote of 289 to 92. To show how well MURPHY had his forces lined up one need only look at the vote from the Ohio delegation; every Congressman from that State, Republican and Democrat, except one, voted for the bonus. The lone wolf was SIMEON D. FESS, Republican.

Congressmen who were especially active for this bonus bill, and who assisted Mr. MURPHY in the filibuster, were CRAMTON, of Michigan; King Swope, of Kentucky; FREAR, of Wisconsin, Mason of Illinois; LANGLEY, of Kentucky; Campbell, of Kansas; Rubey, of Missouri; Gallivan, of Massachusetts; QUIN, of Mississippi; Sinnott, of Oregon; Morgan, of Oklahoma; Goodykoontz, of West Virginia; MILLER, of Washington; Siegel, of New York; STRONG, of Kansas; and Baer, of North Dakota.

FINAL VOTE ON BONUS BILL IS 289 TO 92

For—289

(Republicans—174)

Messrs. Anderson, Andrews of Maryland, Andrews of Nebraska, Anthony, Bacharach, Baer, Barbour, Begg, Benham, Bland of Indiana, Boie, Bowers, Britten, Brooks of Illinois, Brooks of Pennsylvania, Browne, Burdick, Burke, Campbell of Kansas, Chindblom, Christopherson, Classon, Cooper, Copley, Cramton, Crowther, Currie of Michigan, Darrow, Davis of Minnesota, Dempsey, Denison, Dickinson of Iowa, Dowell, Dunbar, Dunn, Dyer, Echols, Elliott, Emerson, Esch, Evans of Nebraska, Fairfield, Focht, Fordney, Foster, Frear, French, Fuller of Illinois, Garland, Goodykoontz, Graham of Illinois, Green of Iowa, Greene of Massachusetts, Griest, Hadley, Hamilton, Hardy of Colorado, Harreld, Haugen, Hawley, Hays, Hersey, Hickey, Hill, Hoch, Hull of Iowa, Hutchinson, Ireland, James, Jeffries, Johnson of South Dakota, Johnson of Washington, Jones of Pennsylvania, Juul, Kearns, Kelley of Michigan, Kelly of Pennsylvania, Kennedy of Rhode Island, Kiess, King, Kinkaid, Kleezka, Kraus, Knutson, Kreider, Lampert, Langley, Layton, Little, Longworth, Luhring, McArthur, McCulloch, McKenzie, McKinley of Illinois, McLaughlin of Michigan, McLaughlin of Nebraska, McPherson, MacCrate, MacGregor, Madden, Mapes, Michener, Miller, Monahan of Wisconsin, Mondell, Moore of Ohio, Morgan, Morin, Mott, Mudd, Murphy, Nelson of Wisconsin, Newton of Missouri, Nolan, Ogden, Osborne, Paige, Porter, Purnell, Radcliffe, Ramseyer, Randall of Wisconsin, Reavis, Reber, Reed of New York, Reed of West Virginia, Ricketts of Ohio, Riddick of Montana, Robinson of Kentucky, Rodenberg, Rose of Pennsylvania, Sanders of Indiana, Sanders of New York, Schall, Scott, Sells, Siegel, Sinclair, Sinnott, Slemp, Smith of Idaho, Smith of Illinois, Smith of Michigan, Steenerson, Stephens of Ohio, Stiness, Strong of Kansas, Strong of Pennsylvania, Summers of Washington, Sweeet, Swope, Taylor of Tennessee, Thompson, Timberlake, Tincher, Towner, Vaile, Vare, Vestal, Voigt, Volstead, Walters, Watson, Webster, Wheeler, White of Kansas, White of Maine, Williams, Wilson of Illinois, Wood of Indiana, Woodyard, Yates, and Zihlman.

(Democrats—112)

Messrs. Almon, Ashbrook, Aswell, Ayres, Babka, Bankhead, Barkley, Bell, Benson, Bland of Missouri, Blanton, Brand, Briggs, Brumbaugh, Byrns of Tennessee, Caldwell, Candler, Caraway, Carew, Casey, Clark of Missouri, Crisp, Cullen, Davey, Davis of Tennessee, Dickinson of Missouri, Donovan, Dooling, Doughton, Eagan, Evans of Montana, Ferris, Fields, Fisher, Gallagher, Gallivan, Ganly of South Dakota, Ganly of New York, Gard, Godwin, Goldfogle, Goodwin, Griffin, Hamill, Harrison, Hoey, Howard, Huddleston, Hudspeth, Hull of Tennessee, Igoe, Jacoway, Johnson of Kentucky, Kincheloe, Larson, Lazaro, Lee of Georgia, Lesher, Linthicum, Lonergan, McAndrews, McClintic, McGlennon, McKeown, McLane, Maher, Major, Mays, Mead, Milligan, Minahan of New Jersey, Mooney of Ohio, Neely, Nelson of Missouri, O'Connell of New York, O'Connor of Louisiana, Oldfield, Olney, Phelan, Pou, Quin, Rainey of Alabama, H. Rainey of Illinois, J. Rainey of Illinois, Raker, Riordan, Romjue, Robinson of North Carolina, Rouse of Kentucky, Rubey, Sabath, Sanders of Louisiana, Sims, Smith of New York, Steagall, Stedman, Tague, Taylor of Arkansas, Taylor of Colorado, Thomas, Upshaw, Vinson, Watkins, Weaver, Welling, Welty, Wilson of Louisiana, Wilson of Pennsylvania, Wingo, Wise, and Wright.

(Miscellaneous—3)

Messrs. Carss, independent; Keller, independent; and Randal, progressive.

Against—92

(Republicans—40)

Messrs. Ackerman, Burrough, Butler, Crago, Dallinger, Cannon, Fess, Freeman, Fuller of Massachusetts, Glynn, Good, Greene of Vermont, Hicks, Husted, Kahn, Lehlbach, Luce, Lufkin, McFadden, Magee, Mann of Illinois, Merritt, Moores of Indiana, Newton of Pennsylvania, Parker, Peters, Platt, Ramsey, Rogers, Rowe of New York, Sanford, Snell, Temple, Tilson, Tinkham, Treadway, Walsh, Ward, Wason, and Winslow.

(Democrats—52)

Messrs. Black, Bee, Blackmon, Bland of Virginia, Box, Buchanan, Byrnes of South Carolina, Campbell of Pennsylvania, Coady, Collier, Connally, Dent, Dwealt, Dominick, Doremus, Drewry, Dupre, Eagle, Flood, Garner, Garrett, Hardy of Texas, Hersman, Holland, Humphreys, Johnson of Minnesota, Johnston of New York, Jones of Texas, Lanham, Lee of California, McDuffie, Mann of South Carolina, Martin of Montana, Moon of Tennessee, Moore of Virginia, Oliver, Overstreet, Padgett, Parrish, Pell, Rayburn, Sisson, Steele, Stephens of Mississippi, Stevenson, Stoh, Sumners of Texas, Venable, Whaley, Woods of Virginia, and Young of Texas.

The Clerk announced the following pairs:

Mr. Kendall and Mr. Hulings (for) with Mr. Graham of Pennsylvania (against).

Mr. Rhodes and Mr. Tillman (for) with Mr. Gould (against).

Mr. Dale and Mr. Curry of California (for) with Mr. Kitchin (against).

Mr. Drane and Mr. Young of North Dakota (for) with Mr. Edmonds (against).

Mr. Brinson and Mr. Evans of Nevada (for) with Mr. Houghton (against).

Mr. Shreve and Mr. Sherwood (for) with Mr. Goodall (against).

Mr. Hayden and Mr. Scully (for) with Mr. Rowan (against).

Mr. DYER. Mr. Speaker, my colleague [Mr. Rhodes] is absent on official business. If he were here, he would vote for this bill.

Mr. SNELL. Mr. Speaker, the gentleman from New York [Mr. Gould] was called away on account of serious illness in his family. If he were here, he would vote against the bill.

Mr. ROUSE. Mr. Speaker, my colleague [Mr. Cantrill] is away in Kentucky. He desires me to state that if he were here he would vote "aye."

Mr. GOLDFOGLE. I desire to say that Mr. SULLIVAN of New York, is necessarily detained, and that if he were here he would have voted "aye."

RIVERS AND HARBORS CONVENTION

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by me before the rivers and harbors convention on Tuesday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech made by me at the rivers and harbors convention, December 10, 1930, in the city of Washington:

Mr. Chairman, ladies, and gentlemen, I am going to be brief, since brevity is the soul of wit. That is a popular expression, particularly when the orator rises at 5 o'clock in the evening to address the tired and impatient members of a convention who are desirous of gratifying the wants of the inner man with substantial food rather than continue to feast on oratory, which is too insubstantial to satisfy a hungry delegate.

I am going to move rapidly in order to meet the requirements set forth above. Multum in parvo shall be my guide—that is, I hope I will express some wisdom in a few words. Let me say at the outset before I reach the piece de resistance—a poem that I am going to recite to you—that I have been a member of the Committee on Rivers and Harbors for a number of years. I had always been one of the faithful in so far as the development of our waterways is concerned, even at times an enthusiast. But shortly after I came to the House of Representatives as a Member I read the poem Merchandise. It made a powerful impression on my mind, and I committed it to memory. I have recited it a number of times on the Pacific coast, and on two or three occasions in New Orleans. Fired by its lofty thought and noble expressions, I became a crusader for waterways, highways, airways, and railways. Until the day I saw Merchandise I was an advocate, but without zeal. But from that hour I became a zealot for a transportation system that would coordinate, consolidate, and unify all the factors into a transportation system that would be our defense in war and promotion in peace, conquering the prejudices of the world by golden caravans that would roll their way over the highways, wing themselves through the air, and steam and sail through the leaping waves, until they reached the gates of every port, city, and mart of trade on the earth.

That system to me is the sign by which we shall conquer, the in hoc signo vinces that unerringly drove me to the Rivers and Harbors Committee, though it has no authority in the district I represent, the Mississippi River Commission having jurisdiction over the great river from Cape Girardeau to the Head of the Passes of the Father of Waters. That poem was to me what Chapman's Homer was to Keats, if I may be pardoned for paralleling or likening myself to that immortal even in a remote way—

> Then felt I like some watcher of the skies
> When a new planet swims into his ken;
> Or like stout Cortez when with eagle eye
> He stared at the Pacific and all his men
> Looked at each other in wild surmise,
> Silent upon a peak in Darien—

took on for me a full significance.

Though, I repeat, my district has no direct interest in the committee, I became one of the champions on it for the improvement of our waterways—north, east, south, and west. The Hudson River was as much my concern as the upper Mississippi, the Ohio, the Illinois, or the Missouri.

And what might appear as strange to some of my listeners, we of that splendid hard-working committee, every member of it being a hero in the strife, whenever a bill was brought to the floor of the House, fought as ardently, as sincerely, and as patriotically for the railways as we did for waterways. For where is the man that does not know that the railways must be the major factor in any transportation system that may be devised or developed for years to come? "What doth it profit a man if he gain the whole world and lose his own soul?" What would it profit a people if the Government generously developed every other factor in transportation and permitted the railroads to die of neglect and unjust inattention?

The great American hymn of progress, industry, commerce, transportation, patriotism shouts out their achievements in every word and line. Like Longfellow's Building of the Ship, it should be known by all Americans, young and old. Neither poem can be recited too often. They should be inscribed on the walls of every room of every schoolhouse in America—aye, on the walls of every church in America.

This literary masterpiece, Merchandise, first appeared in Ainslee's Magazine—I think in 1913. Like Langdon Smith's great crea-

tion, Evolution, it went unnoticed for a while. Suddenly in the night that tried men's souls it was heard in the music halls at London and swept the English people into a tumult of fervor and exaltation. Then it became the vogue and swept Japan for the same reasons that it aroused the British people, both being island empires whose shores are entirely washed by the sea and must send out their ships to the ends of the earth. Read every line of it, for it means a harvest of gold to your country to heed its monition to build up our commerce and pull down our slums.

Arthur Brisbrane, who wrote one of his characteristic editorials on this song of commerce, said that one of its stanzas alone was sufficient to immortalize the author. Venus sprang from the foam of the sea and Merchandise was hurled from the brain of one in whose ears were the billows and the roar in the drift of the seas.

MERCHANDISE

By Milton Hayes

"Merchandise! Merchandise! Tortoise shell, spices,
Carpets and indigo—sent o'er the high seas;
Mother-o'-pearl from the Solomon Isles—
Brought by a brigantine ten thousand miles;
Rubber from Zanzibar, tea from Nang-Po,
Copra from Haiti, and wine from Bordeaux—
Ships, with top-gallants and royals unfurled,
Are bringing in freight from the ends of the world.

Crazy old windjammers manned by Malays,
With rat-ridden bulkheads and creaking old stays,
Reeking of bilge and of paint and of pitch—
That's how your fat city merchant grew rich;
But with tramps, heavy laden, and liners untold
You may lease a new life to a world that's grown old.
Merchandise! Merchandise! Nations are made
By their men and their ships and their overseas trade.

So widen your harbors, your docks, and your quays,
And hazard your wares on the wide ocean ways,
Run out your railways and hew out your coal,
For only by trade can a country keep whole.
Feed up your furnaces, fashion your steel,
Stick to your bargains and pay on the deal;
Rich is your birthright, and well you'll be paid
If you keep in good faith with your overseas trade.

Learn up your geography—work out your sums,
Build up your commerce and pull down your slums;
Sail on a Plimsoll that marks a full hold,
Your overseas trade means a harvest of gold.
Bring in the palm oil and pepper you bought,
But send out ten times the amount you import;
Trade your invention, your labor and sweat,
Your overseas traffic will keep ye from debt.

Hark to the song of shuttle and loom!
'Keep up your commerce or crawl to your tomb.'
Study new methods and open new lines,
Quicken your factories, foundries, and mines;
Think of Columbus, De Gama, and Howe
And waste not their labors by slacking it now,
Work is life's currency—earn what you are worth
And send out your ships to the ends of the earth."

Now, this is the great stanza which Brisbane says should immortalize its author:

"For deep-bosomed mothers with wide-fashioned hips
Will bear you good sons for the building of ships;
Good sons for your ships and good ships for your trade—
That's how the peace of the world will be made.

So send out your strong to the forests untrod,
Work for yourselves and your neighbors and God;
Keep this great Nation, the land of the free,
With merchandise, men, and good ships on the sea—
Merchandise—merchandise—good honest merchandise."

ATTACK ON COMMITTEE INVESTIGATING COMMUNIST ACTIVITIES

Mr. HALL of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HALL of Mississippi. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement in reply to unwarranted attacks on the special House committee investigating activities of the communists in the United States by the New York Herald Tribune.

The New York Herald Tribune, the leading Republican newspaper in New York City, has repeatedly found fault with the work of the special committee created by the House of Representatives to investigate the activities of the communists in the United States. Representative HAMILTON FISH, Jr., the chairman of the committee, has probably refrained from answering such unwarranted attacks in view of the fact that the New York Herald Tribune is a semiofficial organ of the Republican Party of New York State.

Mr. FISH has shown a great deal of patience and forbearance, but as a member of the committee I personally resent the biased attitude taken by the editorial staff of the New York Herald Tribune in connection with the investigation ordered by the House of Representatives to ascertain the facts regarding communist propaganda and activities in the United States. On numerous occasions editorials have appeared in the New York Herald Tribune of wholly unwarranted character, directed at the committee for its investigation of the Amtorg Trading Corporation, and of our trade and commercial relations with the Soviet Government. In the issue of December 8 the New York Herald Tribute lauds the speech of John Bassett Moore in behalf of the recognition of Russia, and refers to the "explosions of the Fish committee."

What is behind the constant efforts of the New York Herald Tribune, in behalf of Soviet Russia, and recognition of the communist dictatorship? Can it be that Ogden Reid, president and director of the New York Tribune Co., and other big stockholders in that paper, are influenced by their large holdings in the International Paper & Power Co., which imports most of the pulpwood from Soviet Russia alleged to be produced by convict labor, in direct competition with free American labor on the Pacific coast and of the small farmers in the northern section of New England?

Only last summer a representative of the International Paper & Power Co. appeared before a hearing held in the Treasury Department at Washington and protested against any attempt to shut out soviet pulpwood alleged to have been cut or produced by convict labor.

Can it be that Mr. Ogden Reid, who is a director of the International Paper & Power Co., is using his powerful New York newspaper for the benefit of the stockholders of the International Paper & Power Co., to the disadvantage of free American labor in the midst of this period of unemployment and depression?

I do not desire to do an injustice to Mr. Reid, but the editorials on Russian-American trade in his newspaper lead me to believe that he has placed his selfish interests above his duty as a publisher of a newspaper with a large daily circulation to present the facts fairly and accurately to the reading public.

If I have misinterpreted Mr. Reid's position, or reached an erroneous conclusion as to his motive, I shall appreciate being corrected, but in the meanwhile it would be interesting to know just how much stock Mr. Reid and his family control in the International Paper & Power Co., and if the New York Herald Tribune buys its newsprint from the International Paper & Power Co.

SOLDIERS' ADJUSTED-COMPENSATION CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have filed with the Clerk of the House of Representatives a motion to instruct the Committee on Ways and Means to report within 15 days H. R. 3493, entitled "A bill to provide for the immediate payment to veterans of the face value of their adjusted-compensation certificates."

This motion will not be effective until a majority of the Members of the House—218—have signed it.

If you are in favor of this legislation being considered I want to urge you to sign the motion at your very earliest convenience. The motion is in charge of the journal clerk when the House is in session.

This is not a partisanship matter. It makes no difference with me whose bill passes carrying into effect this proposal, but I am anxious that such a bill be given consideration at an early date. This is a sincere effort to relieve unemployment and distress by the Government paying an honest debt that has already been confessed by Congress. Its passage will not cause taxes to be increased. Business men and others who are interested in our Nation being prosperous, as well as the veterans, are requesting its passage.

The objection to signing the motion because another plan of payment is considered preferable is not a good one to my mind. No plan will be considered until this motion is signed by 218 Members of the House, then any plan will be considered.

LEAVE OF ABSENCE

By unanimous consent, the following leave of absence was granted:

To Mr. RICH (at the request of Mr. MAGRADY), for the balance of the week, on account of death in his family.

To Mr. GOSS (at the request of Mr. MERRITT), indefinitely, on account of death in the family.

ADJOURNMENT

And then, on motion of Mr. CRAMTON (at 5 o'clock and 5 minutes p. m.), the House adjourned until to-morrow, Friday, December 12, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, December 12, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department appropriation bill.

State, Justice, Commerce, and Labor Departments appropriation bill.

JOINT CONGRESSIONAL COMMITTEE ON INTERNAL REVENUE TAXATION

(10 a. m., room 321, House Office Building)

To consider depletion of mines.

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 2

(10 a. m.)

Authorizing and directing the Comptroller General of the United States to reopen, adjust, and settle the accounts of the city of Baltimore for advances made by the city in 1863 for the construction of works of defense. (H. J. Res. 336.)

COMMITTEE ON MILITARY AFFAIRS—SUBCOMMITTEE NO. 1

(10 a. m.)

To consider construction projects at soldiers' homes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

701. A letter from the Secretary of Commerce, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

702. A letter from the Librarian of Congress, transmitting annual report as Librarian of Congress, together with that of the register of copyrights, for the fiscal year ending June 30, 1930; to the Committee on the Library.

703. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the revenue act of 1928 for purpose of authorizing corporation in computing net income to take as deduction from gross income amounts contributed for charitable social welfare, or unemployment relief purposes, made during the period from July 1, 1930, to June 30, 1931; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 14040. A bill to enable the Secretary of the Treasury to expedite work on the Federal-building program authorized by the act of Congress entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, and acts amendatory thereof; without amendment (Rept. No. 2093). Referred to the Committee of the Whole House on the state of the Union.

Mr. YON: Committee on the Public Lands. H. R. 12094. A bill to provide for conveyance of certain lands in the State of Alabama to vocational or other educational uses, rather than to park or game-preserve purposes, or to dispose of the lands upon condition that they shall be used for educational purposes only; with amendment (Rept. No. 2094). Referred to the Committee of the Whole House on the state of the Union.

Mr. ARENTZ: Committee on Indian Affairs. H. R. 13276. A bill to establish the Needles Rocks wild life refuge; without amendment (Rept. No. 2095). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14207) granting a pension to Isabell A. Yandle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14844) granting a pension to Harriet A. Pearman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14845) granting a pension to Andrew H. Thomas; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 14991) providing for the appointment as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in 1931, and for other purposes; to the Committee on Naval Affairs.

By Mr. DOUGLAS of Arizona: A bill (H. R. 14992) to cancel certain reimbursable charges against certain lands within the Gila River Indian Reservation; to the Committee on Indian Affairs.

By Mr. GAVAGAN: A bill (H. R. 14993) to provide for the issuance of Government bonds to be exchanged for veterans' adjusted-service certificates; to the Committee on Ways and Means.

Also, a bill (H. R. 14994) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates; to the Committee on Ways and Means.

By Mr. HAWLEY: A bill (H. R. 14995) to transfer control of building No. 2 on the customhouse reservation at Nome, Alaska, to the Secretary of War; to the Committee on Ways and Means.

Also, a bill (H. R. 14996) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands, nations, or tribes of Indians residing in the State of Oregon; to the Committee on Indian Affairs.

Also, a bill (H. R. 14997) providing for the creation of a national park in Marion County, in Oregon, to be known as the Silver Creek Falls national park, and authorizing the appropriation of money therefor; to the Committee on the Public Lands.

Also, a bill (H. R. 14998) authorizing the construction of a road in the Umpqua National Forest between Steamboat Bridge and Black Camas, in Douglas County, Oreg.; to the Committee on the Public Lands.

Also, a bill (H. R. 14999) to amend the laws relating to the Postal Savings System; to the Committee on the Post Office and Post Roads.

By Mr. SCHNEIDER: A bill (H. R. 15000) for the hospitalization of persons discharged from the United States Army, Navy, or Marine Corps who have contracted tuberculosis in line of duty; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 15001) to amend sections 7, 8, and 9 of the Panama Canal act; to the Committee on Interstate and Foreign Commerce.

By Mr. EATON of Colorado: A bill (H. R. 15002) concerning oil-shale lands; to the Committee on the Public Lands.

By Mr. FITZGERALD: A bill (H. R. 15003) to amend section 10 of the act of May 29, 1928 (45 Stat. 1008; U. S. C., Supp. —, title 1, sec. 59); to the Committee on Revision of the Laws.

By Mr. JAMES of Michigan (by request of the War Department): A bill (H. R. 15004) to repeal obsolete parts of statutes relating to detachments at the United States Military Academy; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15005) to amend the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. HOFFMAN: A bill (H. R. 15006) to authorize promotion upon retirement of officers of the Army, Navy, Marine Corps, and Coast Guard in recognition of World War and Spanish-American War service; to the Committee on Military Affairs.

Also, a bill (H. R. 15007) to authorize promotion upon retirement of warrant officers and enlisted men of the Army,

Navy, Marine Corps, or Coast Guard to commissioned rank held by them during the World War or the Spanish-American War in recognition of such services; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 15008) to extend the south and east boundaries of the Mount Rainier National Park in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. CRAIL: A bill (H. R. 15009) to establish a monument in honor of the veterans of all American wars on the grounds of the National Home for Disabled Volunteer Soldiers, Pacific Branch, Los Angeles County, Calif.; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 15010) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products; to the Committee on the District of Columbia.

By Mr. COYLE: A bill (H. R. 15011) authorizing the Secretary of the Navy to purchase a site for an auxiliary operating air base at Camp Kearney, near San Diego, Calif.; to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 15012) to acquire for park purposes the Heurich-Smith tract at Columbia Road and Nineteenth Street; to the Committee on Public Buildings and Grounds.

By Mrs. OWEN: A bill (H. R. 15013) establishing a permanent submarine base; to the Committee on Naval Affairs.

By Mr. EDWARDS: Joint resolution (H. J. Res. 432) suspending foreclosure proceedings by the Federal land banks for a period of two years; to the Committee on Banking and Currency.

By Mr. HAWLEY: Joint resolution (H. J. Res. 433) authorizing corporations in computing net income to take as deductions from gross income amounts contributed for charitable, social welfare, or unemployment relief purposes; to the Committee on Ways and Means.

By Mr. MAAS: Joint resolution (H. J. Res. 434) participation of the Government of the United States in the Second World Conference of Workers for the Crippled, to be held at The Hague, the Netherlands, the week of June 28, 1931; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 15014) donating bronze trophy cannons to the city of Morristown, Morris County, N. J.; to the Committee on Military Affairs.

By Mr. BRAND of Ohio: A bill (H. R. 15015) granting an increase of pension to Susie A. Clifton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15016) granting an increase of pension to Dora A. Stephenson; to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 15017) granting an increase of pension to Johanna Mulvihill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15018) for the relief of E. C. Journey; to the Committee on Claims.

Also, a bill (H. R. 15019) for the relief of Mrs. W. I. Kline and Mrs. W. C. Greer; to the Committee on War Claims.

Also, a bill (H. R. 15020) for the relief of U. S. Davis; to the Committee on Claims.

By Mr. CABLE: A bill (H. R. 15021) granting a pension to Caroline Risk; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 15022) granting a pension to Anna S. Joseph; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15023) granting an increase of pension to Hester A. Neal; to the Committee on Invalid Pensions.

By Mr. CHASE: A bill (H. R. 15024) granting a pension to Anna L. Lemon; to the Committee on Invalid Pensions.

By Mr. CHIPERFIELD: A bill (H. R. 15025) granting a pension to Mary Abbott; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 15026) granting a pension to Dora Greeler; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 15027) granting a pension to Anna Marshall; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 15028) granting an increase of pension to Alice Mobley; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 15029) granting a pension to Samuel M. Hatfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15030) granting an increase of pension to William H. Richter; to the Committee on Pensions.

Also, a bill (H. R. 15031) granting a pension to Martha D. McCabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15032) granting a pension to Ida M. Varble; to the Committee on Pensions.

By Mr. ELLIS: A bill (H. R. 15033) giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.; to the Committee on Claims.

By Mr. EVANS of California: A bill (H. R. 15034) granting a pension to Jerome Deniston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15035) granting a pension to Martha Trusty Miller; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 15036) for the relief of Marijune Cron; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 15037) for the relief of George F. De Maranville; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 15038) granting a pension to Mary Caroline Wilkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15039) granting a pension to Jessie E. Ingraham; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 15040) granting an increase of pension to Susan C. Harrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15041) granting an increase of pension to Sarah E. Sabie; to the Committe on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 15042) granting a pension to Louis d'Orville Chabut; to the Committee on Pensions.

By Mr. MOUSER: A bill (H. R. 15043) granting an increase of pension to Martha J. Caldwell; to the Committee on Pensions.

Also, a bill (H. R. 15044) granting an increase of pension to Mary T. Moon; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 15045) granting an increase of pension to Maria L. McDonald; to the Committee on Invalid Pensions.

By Mr. OLIVER of New York: A bill (H. R. 15046) granting a pension to Fredericka Tuttle; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 15047) granting a pension to Lida F. Holmes; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 15048) granting an increase of pension to Mary M. Clements; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 15049) for the relief of Lewis Scarlett; to the Committee on Military Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 15050) granting a pension to Mary E. McLaughlin; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 15051) granting a pension to Mary J. McKenna; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 15052) granting an increase of pension to Jane E. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15053) granting an increase of pension to Ella S. Pattison; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 15054) granting a pension to Harrison R. Crecelius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15055) granting a pension to Sarah A. Bethards; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 15056) granting a pension to Eleanora Emma Bliss; to the Committee on Pensions.

Also, a bill (H. R. 15057) for the relief of Thomas G. Carlin; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 15058) granting an increase of pension to Eva A. Gill; to the Committee on Invalid Pensions.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 15059) granting a pension to Emma L. Zittel; to the Committee on Pensions.

By Mr. WYANT: A bill (H. R. 15060) granting an increase of pension to Abigail McCreery; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15061) granting an increase of pension to Mary E. Lewis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7868. By Mr. LOOFBOUROW: Petition of Mrs. Inga Black and 825 other citizens of Millard County, Utah, urging the House to enact Senate bill 4123, granting certain relief to drainage districts; to the Committee on Irrigation and Reclamation.

7869. By Mr. MURPHY: Petition of the United Presbyterian Church, of Cadiz, Ohio, Rev. Charles Gilmore, minister, asking that the preamble of the Constitution of the United States be amended so as to recognize the authority of Jesus Christ the Savior and King of Nations; to the Committee on the Judiciary.

7870. By Mr. PATMAN: Petition of J. Frank West and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7871. Also, petition of J. W. Moon and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7872. Also, petition of Charles S. Baker and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7873. Also, petition of Mrs. J. H. Frogge and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7874. Also, petition of W. S. Smith and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7875. Also, petition of Pearl Reed and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7876. Also, petition of J. G. Coldewey and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7877. Also, petition of Mrs. W. A. Jackson and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7878. Also, petition of Miss M. Stanley and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7879. Also, petition of Howard F. Collins and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7880. Also, petition of George Raymond and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7881. Also, petition of J. W. McAlley and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7882. Also, petition of Philip Rotella and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7883. Also, petition of William N. Hunt and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7884. Also, petition of Hugh L. Groopasture and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7885. Also, petition of Fred Callas and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7886. Also, petition of A. J. Levy and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7887. Also, petition of Christ Cantas and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7888. Also, petition of John Burton and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7889. Also, petition of Sam Shies and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7890. Also, petition of J. E. Bauman and 47 other veterans and citizens of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7891. Also, petition of W. C. Fink and 47 other veterans and citizens of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7892. Also, petition of M. Pilsk and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7893. Also, petition of L. L. Schlosser and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging imme-

diate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7894. Also, petition of T. W. Drennon and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7895. Also, petition of Jack Keefe and 47 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

7896. Also, petition of Helen Hoffmaster and 49 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association (Inc.), urging the immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

7897. By Mr. FRANK M. RAMEY: Resolution regarding adequate national defense, passed by the American Federation of Labor at its convention held in Boston, Mass., October 6-17, 1930; to the Committee on Labor.

SENATE

FRIDAY, DECEMBER 12, 1930

The Chaplain, Rev. Zebarney T. Phillips, D. D., offered the following prayer:

O Thou who hast companioned with us even when we knew it not, who hast shepherded us in shadowed valleys when we thought Thee far away, be with us now as we turn aside from life's crowded highway into the quiet sanctuary of the soul, within whose gates of peace we learn that death is not defeat but victory and holds no contradiction of Thy love.

As Thou hast been pleased to take unto Thyself the soul of Thy beloved, whose devotion to duty, integrity of purpose, and fineness of character have left their impress on our lives, do Thou look with loving pity upon the dear ones bowed in grief for whom especially our prayers are offered. Let Thy fatherly hand be over them, may Thy love comfort and sustain them, and may Thy spirit give them peace, for they sorrow not as those who have no hope. We ask it in the name of Him who bears our griefs and carries our sorrows, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. SIMMONS. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Keyes	Shipstead
Barkley	Frazier	King	Shortridge
Bingham	George	La Follette	Simmons
Black	Gillett	McGill	Smith
Blaine	Glass	McKellar	Smoot
Blease	Glenn	McMaster	Steiwer
Borah	Goff	McNary	Stephens
Bratton	Goldsborough	Metcalf	Swanson
Brock	Gould	Morrow	Thomas, Idaho
Brookhart	Greene	Moses	Thomas, Okla.
Broussard	Hale	Norbeck	Townsend
Bulkley	Harris	Norris	Trammell
Capper	Harrison	Nye	Tydings
Caraway	Hastings	Oddie	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hawes	Phipps	Walcott
Copeland	Hayden	Pine	Walsh, Mass.
Couzens	Hebert	Pittman	Walsh, Mont.
Cutting	Heflin	Ransdell	Waterman
Dale	Howell	Reed	Watson
Davis	Johnson	Robinson, Ark.	Wheeler
Deneen	Jones	Robinson, Ind.	Williamson
Dill	Kean	Schall	
Fess	Kendrick	Sheppard	

The VICE PRESIDENT. Ninety-four Senators have answered to their names. A quorum is present.

DEATH OF SENATOR OVERMAN

Mr. SIMMONS. Mr. President, I am deeply grieved to announce the death of my distinguished colleague, Senator LEE S. OVERMAN, who passed away about midnight last night.

Senator OVERMAN was a distinguished figure in public and social life. He was greatly beloved not only in his native State but wherever he was known, especially by his colleagues in this body. For 65 years—in college, in private life, and in his services in this body, without a single breach—he and I have been close associates and friends. His passing, to me, is a source of deep personal sorrow and grief. If he had lived until the 4th of next March, he would have had a continuous service in this body covering a period of 28 years. His death is a loss not only to his friends but to his State and to the Nation.

At a later date I shall ask the Senate to make formal recognition of his life, his character, and his public services.

Mr. WATSON. Mr. President, I am certain that every heart has been touched by the sad news of the death of our honored and revered colleague, a man who through his entire public career enjoyed the confidence and respect of every Member of this body and of all others with whom he came into contact.

It is not fitting that I should pronounce his eulogy at this time, much as it is in my heart to do so. I only rose for the purpose of announcing that at the suggestion of Mrs. Overman, a suggestion with which I know we all want to comply, exercises will be held in this Chamber this evening. I understand a sermon will be delivered at that time. It is my earnest request that all Members of this body be present who possibly can do so, in order that in a suitable way we may, as much as we can, pay tribute to the life, the character, and the public services of our deceased friend, with whom every Member of this body was in love. The hour for the funeral is 8 o'clock.

Mr. ROBINSON of Arkansas. Mr. President, every Senator, every officer, and every employee, as well as others who have less direct relationship to the work of the Senate, honor the memory of Senator OVERMAN. There has never served here a more beloved Senator. He was kind, gentle, courageous, and able.

We meet in this Chamber at 8 o'clock this evening, when the funeral services will be conducted.

Mr. SIMMONS. Mr. President, I send to the desk the following resolutions and ask for their immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 368) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. LEE SLATER OVERMAN, late a Senator from the State of North Carolina.

Resolved, That a committee of 21 Senators be appointed by the President of the Senate to take order for superintending the funeral of Mr. OVERMAN, which shall take place in the Senate Chamber at 8 o'clock p. m. on Friday, December 12, 1930, and that the Senate attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Salisbury, N. C., for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect; and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States; the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations, and the Major General Commandant of the Marine Corps to attend the funeral in the Senate Chamber.

Under the second resolution the Vice President appointed as the committee on the part of the Senate the Senator from